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DEBATES

OF THE

HOUSE OF COMMONS

OF THE

DOMINION OF CANADA

SECOND SESSION—ELEVENTH PARLIAMENT

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1909-10

House of Commons Debates

SECOND SESSION—ELEVENTH PARLIAMENT

HOUSE OF COMMONS.

WEDNESDAY, March 30, 1910.

The SPEAKER took the Chair at Three o'clock.

FIRST READINGS.

Bill (No. 189) to incorporate the Protectorate Life Insurance Company of Canada.—Mr. Turriff.

Bill (No. 190) to incorporate the Quebec and Ungava Railway Company.—Mr. Devlin.

MEAT AND CANNED FOODS ACT AMENDMENT.

Hon. SYDNEY FISHER moved for leave to introduce Bill (No. 193) to amend the Meat and Canned Foods Act. He said: In the working of this law we find some slight modifications of the wording and form to be necessary. There is no change in the principle of the Act. When we come to discuss the details I will give full information concerning each.

Motion agreed to, and Bill read the first time.

QUESTIONS.

SUBSIDIES TO RAILWAYS IN BRITISH COLUMBIA.

Mr. BARNARD:

1. What are the particulars of the sum of $18,109,841, shown as having been expended in British Columbia for railway subsidies on page 2, of a return to an Order of the House of Commons, dated the 19th of February, 1908, and being sessional paper No. 219 of the session of 1908?

Hon. GEO. P. GRAHAM. The following are the amounts expended by the Dominion government on railway subsidies in British Columbia, up to 1905-6:

Esquimalt and Nanaimo railway, 73 miles, $750,000; Nakusp and Slocan railway, 36½ miles, $117,760; Columbia and Kootenay railway, 27½ miles, $88,800; Shuswap and Okanagan railway, 51 miles, $163,200; Kootenay and Arrowhead railway, 46½ miles, $153,866; Canadian Pacific railway, (Revelstoke to Arrowhead) 25 miles, $80.000; Canadian Pacific railway, (Savonas to Port Moodie) 213 miles, $13,326,100; Nicola, Kamloops and Similkameen railway, 35 miles, $110,592; Canadian Pacific railway, (Crowsnest) 182 miles, $2,301,936; Canadian Pacific railway, (Laggan to Savonas) 301 miles, $4,031,233; total $21,105,487.

SALES OF SCHOOL LANDS.

Mr. LAKE:

1. Have any sales of school lands been made by the government to private individuals or to companies in any other way than by public auction?

2. If so, under what circumstances and on what terms have such sales been made; and were the lands so sold advertised for sale before being disposed of?

Hon. FRANK OLIVER:

1. Yes, in accordance with the statutes in that behalf.

2. School lands required for the right of way of railways, for station grounds, ballast pits, and right of way for water pipes, have been sold otherwise than by public auction to railway companies under the provisions of the Railway Act, and school lands have also been sold by private sale to Boards of Trustees, under the provisions of subsection 2, of section 39, of the Dominion Lands Act, for school sites, the area not exceeding in any case four acres. In no other case have school lands been sold to private individuals, or to companies, otherwise than at public auction.

The lands required for right of way, station grounds, &c., of railways, are sold to the railway companies at a valuation determined by inspection of the land, and approved by the Governor in Council.

The lands required for school sites are only sold to Boards of Trustees, upon the recommendation of the Deputy Minister of Education for the province in which the land is situated.

The minimum price fixed by the Act is $10 per acre, and no land has been sold for school sites below that price.

These sales are not advertised.

ISSUE OF SCRIP TO HALF-BREEDS.

Mr. LAKE:

1. Has any commission been employed on the issue of scrip to half-breeds since the 1st January, 1908?

2. If so, in what part of the country have they been employed and to what extent have issues of scrip been made by them?

3. Who composed the commission, and did any other persons accompany them, other than their employees? If so, who?

Mr. OLIVER:

1. Yes.

2. In that portion of the Northwest Territories including Split lake, Oxford House, Nelson House, and other points covered by the adhesion to Indian Treaty No. 5.

No scrip was issued by the commissioner, but scrip aggregating 7,920 acres, in satisfaction of 33 claims, was issued by the Department of the Interior and delivered to the claimants personally by the commissioner.

3. Reverend John Semmens, inspector of Indian agencies, and reserves, who was also appointed commissioner to take the adhesion to Treaty No. 5. It is not known whether or not any persons other than his employees accompanied him.

ST. MAURICE RIVER—DREDGING AND IMPROVEMENTS.

Mr. BLONDIN:

1. Does the government intend to construct this year or soon, an embankment or dam over the Grand Piles chute, on the St. Maurice river, county of Champlain?

2. Does the government possess plans and specifications of such intended embankment? If so, since when?

3. What are the different amounts expended annually during the last ten years on the River St. Maurice for dredging, maintenance and all other works, between the Grand Piles chute and La Tuque?

Hon. WM. PUGSLEY:

1. No decision yet arrived at.

2. No plan or specification has ever been agreed upon.

3.

Year.	Dredging.	Maintenance and all other works.
1899-1900..	$ 2,830 00	$ 13,488 45
1900-1901..	9,598 29	20,047 58
1901-1902..	6,394 83	29,493 37
1902-1903..	Nil.	15,832 21
1903-1904..	7,751 53	13,371 26
1904-1905..	7,953 02	20,359 92
1905-1906..	11,240 71	17,115 85
1906-1907..	9,198 08	39,866 67
1907-1908..	16,146 59	50,464 01
1908-1909..	15,888 17	41,982 77
Totals..	$87,001 22	$262,022 09

TURTLE MOUNTAIN TIMBER RESERVE.

Mr. SCHAFFNER:

1. Has there been any tree planting in the Turtle Mountain timber reserve during the years 1908 and 1909?

2. If so, how many men were employed in said tree planting during the years 1908 and 1909?

3. What was the amount of money paid to each person so employed during the years 1909-1910, and what are their names?

4. Is there an assistant timber inspector in Turtle Mountain timber reserve? If so, what is his name and salary?

5. What percentage of the trees planted was living at the end of the growing season of 1909?

Mr. OLIVER:

1. No tree planting was done on the Turtle Mountain Forest reserve during the years 1908 and 1909, but a small nursery of coniferous trees was started on this reserve in 1909 to provide trees for planting.

2. None.

3. None.

4. There is no permanent assistant timber inspector. Temporary help is obtained as required.

5. Answered by No. 1.

ASSENT TO WATERWAYS TREATY.

Sir WILFRID LAURIER. I beg to lay on the table of the House papers and correspondence regarding the purchase of the steamer 'Rainbow'; also papers and correspondence regarding the intended purchase of the steamship 'Niobe'. I have also to inform the House that the government of Canada has assented to the exchange of ratifications in the Waterways Treaty. There is some additional correspondence with regard to the same, which will be put upon the table of the House either to-morrow or early on Monday.

TARIFF NEGOTIATIONS WITH THE UNITED STATES.

Mr. SPROULE. In the absence of the Finance Minister—I notice a statement circulated in the press that an announcement would be made to-day in regard to the negotiations with the President of the United States concerning tariff matters. Is the First Minister prepared to take the House into his confidence, and give us a statement, so far as he can; and if there is any correspondence or data connected with that matter, will he lay them on the table of the House?

Sir WILFRID LAURIER. I have to inform my hon. friend that the Minister of Finance will himself be in the House within probably an hour, and when he comes, we will take up an item so as to give him

an opportunity of making his intended statement.

PRIVILEGE—LONG SAULT DAM.

Mr. J. D. REID. I rise to a question of privilege. I see in the Toronto 'Globe' of March 26 the following item:

> The Montreal 'Star' can easily ascertain that the Long Sault dam scheme is not a party measure. Conservatives like Dr. Reid favour it, and the Conservative Brockville 'Times' is exceedingly severe on everybody who opposes it.

I am not now, never was, and never will be, in favour of any scheme that would place a dam across the St. Lawrence river at Long Sault Rapids, or any place on the St. Lawrence.

MIXING OF GRAIN.

Mr. SCHAFFNER. Before the orders of the day are called, I wish to draw the attention of the government, or of some member thereof, to a matter which concerns the people in the west very much. There has been more than a suspicion regarding it, but there has been nothing to confirm it so well as this article which appears in the 'Globe' of the 25th of March, in a statement telegraphed from Ottawa:

> Mixing of the Grain—Serious charges against terminal elevator men—Government has been investigating shippers' complaints, and prosecutions may follow at the head of the lakes.
>
> Ottawa, March 24.—There is trouble ahead for some of the terminal elevator men at Fort William and Port Arthur. There have been many complaints by shippers that at this point there have been mixing and manipulation of grain in transit, in violation of the statute, but to the advantage of the elevator men, though not so to the shippers of grain. There are severe penalties, both fine and imprisonment being provided by the Act. The Department of Trade and Commerce has been making investigations which are said to have resulted in disclosures which warrant further proceedings being taken. It is understood that some of the elevator men will be given an opportunity to establish their innocence or to submit to the penalties provided by the Act.

This is a serious charge. I believe this thing has been going on for a long time, and if any member of the government can give any information about it, I would be glad to hear it.

Sir WILFRID LAURIER. The only thing I can say at present is that I understand the Minister of Trade and Commerce is investigating the matter to which my hon. friend has referred.

INDIAN ACT—AMENDMENT.

House in committee on Bill (No. 141) to amend the Indian Act.—Mr. Oliver.

On section 2—contracts affecting Indian moneys and securities to be approved by superintendent general.

Mr. SPROULE. That is practically the old law, is it not?

Mr. OLIVER. It expresses the intent of the old law, which has not been definitely expressed hitherto, and occasion has arisen for expressing in set terms exactly what the position is. I will read the section which this proposes to amend, namely section 87:

> All moneys or securities of any kind applicable to the support or benefit of Indians, or any band of Indians, and all moneys accrued or hereafter to accrue from the sale of any Indian lands or the proceeds of any timber on any Indian lands, or a reserve shall, subject to the provisions of this part, be applicable to the same purposes, and be dealt with in the same manner as they might have been applied to or dealt with but for the passing of this part.

There is not a definite statement as to the position of the money that is considered desirable, and we wish to set down in black and white the exact position.

On section 3,

Mr. OLIVER. We wish to insert the following words in the section as it now stands:

> And no annuities or interest on funds, and no moneys appropriated by parliament held for any band of Indians.

The section as it now stands reads as follows:

> No presents given to Indians or non-treaty Indians, and no property purchased or acquired with or by means of any annuities granted to Indians, or any part thereof, and in the possession of any band of such Indians, or of any Indian or any band, or irregular band, shall be liable to be taken, seized or distrained for any debt, matter or cause whatsoever.

This protects the Indians in property purchased with the annuity money, but it does not protect the annuity money itself. We desire to put the annuity money itself in the same position as the statute now places the property that is purchased by it.

Bill reported, read the third time and passed.

BOUNTIES ON ZINC.

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—read the second time, and House went into committee thereon.

On section 1,

Mr. SPROULE. Explain.

Mr. TEMPLEMAN. When the resolution was before the House a few days ago there was a very full explanation given of the purport of this Bill. At that time I was asked by the hon. member for South Simcoe (Mr. Lennox) to state somewhat more in detail how it was proposed to expend the sum of $50,000, and I promised to give that information. The money which is being set apart for the promotion of the zinc industry will be expended approximately as follows:

1st. Investigation of processes which promise commercial results:

(a) The De Laval Process, in operation at Trollhatten, Sweden.. ..	3,000 00
(b) The Ferguson-De Laval Process, demonstration plant being erected in London, Eng..	2,500 00
(c) The Cote-Pierron Process, recently invented in France..	3,000 00
(d) The Kermode Bisulphate Process, demonstration plant being erected in Wales..	3,000 00
(e) The Hiram Nixon Process, of Philadelphia..	2,500 00
There are two more processes, of which information is being obtained, one in Russia and one in Vienna, Austria, which are stated to be commercial, each $3,000..	6,000 00
	$21,000 00

It is intended that these processes be examined on a commercial scale, in detail, by competent metallurgists.

The investigation of each one of these processes will require several weeks. In explanation of the cost of these investigations it may be stated that it includes the salary of the chief metallurgist and his assistants and their travelling expenses, and the writing of the report, also the payment of the needed labourers, of sufficient number to enable the staff to be divided into night and day shifts, as the processes are continuous.

It is only after this necessary information has been gathered, that it will be possible to frame a plan for further procedure.

If any of these processes promise commercial results, the remainder ($29,000) of the grant may be employed in setting up and operating an experimental plant on the lines of the approved process. As the sum, $29,000, is very small for so important an inquiry, it will be necessary to avail ourselves of the electric outfit already in existence at Nelson, B.C.

That is the statement prepared by the Director of Mines as to the method of expending this money. The purport of the Bill, what we expect to accomplish, the necessity of the work and all that kind of thing were very fully discussed when the resolution was before the House, and I think the House is fully impressed with the importance of the proposed work.

Mr. J. A. CURRIE. Is it the intention of the minister to have the present commercial processes also investigated, such as the process now in operation in New Jersey and the Belgian process? These have been commercially employed for a great many years, and I think that before starting in to exploit new processes for the smelting of zinc, it would be well also to investigate the old processes which have been successful. Does the minister not also think it important to investigate those processes that have been in successful operation for some time?

Mr. TEMPLEMAN. Undoubtedly that investigation will be made. The chief authority on this continent on zinc is Mr. Ingalls, of New York city.

Mr. J. A. CURRIE. And Joseph Wharton also.

Mr. TEMPLEMAN. Yes. We propose enlisting the co-operation of these gentlemen at the very earliest possible date. As I am advised, the process for the reduction of zinc known as the Belgian process is not believed by metallurgists to be economically adaptable to the ores of this country, in which lead and zinc are in close association. The difficulty to be surmounted is to find a process that will recover these two metals. I believe that where zinc ores are smelted in the United States and Europe, lead is not present, or if it is present, it can be separated. The great problem is to save all the metals that are present in the British Columbia ores, and to solve that problem it is necessary to obtain a process that will save at once the lead as well as the zinc. It is believed by experts who have been investigating the processes that are referred to in this memorandum that that result can be accomplished by investigation and further experimentation in regard to the smelting of these ores. But our investigation would not be complete unless we fully studied and applied, if necessary, the well known processes of smelting now in use in many parts of the world.

Mr. J. A. CURRIE. The reason I mention this is that several so-called German chemists have exploited processes in this country at great expense to the people. A number of people in Hamilton put something like $300,000 or $400,000 into a process which proved a failure. I understand that one or two similar processes were exploited in the west at the expense of the public there, and from what I have learned from people who are actually in the business

of smelting zinc there is no mystery about it, the process is simple, cheap and efficient and there is no necessity of indulging in any wild-cat experiments. Therefore, I hope that the minister will investigate the practical workings of the old processes that are in use to-day instead of taking up some innovation which has not been put to the practical test.

Mr. HUGHES. Why is it necessary to confine it to zinc alone? Have there not been great improvements made in the reduction of other ores in recent years, and are there not a great many ores more refractory than zinc? There are many gold ores that are refractory and are not easily reduced. Ores that a couple of years ago were positively irreducible are to-day being conveniently reduced, and cannot the same progress be made as to the development of the cyanide or some other processes? Why limit it to zinc?

Mr. TEMPLEMAN. There is no question as to the importance of the work to be done by private enterprise and possibly also by this government in developing more perfect methods of smelting all kinds of ores. There is a great deal yet to learn. As my hon. friend from North Simcoe (Mr. Currie) says, some important experiments have been carried on by private enterprise at an enormous expenditure and sometimes without any practical results as far as the determination of economical and satisfactory processes is concerned. It will be remembered that some years ago we laid aside $2,500,000 to encourage the mining and smelting of lead ores, and there is still in the treasury unexpended of that money a little over $1,000,000. Zinc and lead are very closely associated in the ore. They are chemically combined in some cases, but always very closely associated. A mine might start out to be a lead mine and turn into a zinc mine when they get to a certain depth. While we have endeavoured to encourage the production of lead, the presence of zinc in lead ores has been found to be a detriment, because in the process of smelting the zinc is lost to the extent of 8, 10 or 12 per cent. The process of smelting zinc is different from that of smelting lead, copper, silver or gold ore, the zinc being volatile and going out in vapour. It cannot be recovered afterwards. There is no zinc smelter in Canada. There are a number in the United States and a number in Europe. Where zinc ores are smelted lead is not usually present in the ore at all, but where lead and zinc are combined, according to the process in existence to-day, the zinc is penalized because of its presence. Lead is present in such enormous quantities in the ores in British Columbia that those interested in the industry are quite willing that the sum of $50,000 which we propose to expend should be taken out of the lead bounty fund and set apart for the encouragement of smelting zinc ores. This is not a new charge on the revenue, but it is the taking of money out of the lead bounty fund and setting it apart for investigations of the processes of smelting zinc.

Mr. HUGHES. Who is going to carry this work on?

Mr. TEMPLEMAN. The Department of Mines, under the direction of Dr. Haanel.

Mr. HUGHES. Why is there not a school of technology or a metallurgical institution established here at Ottawa where experiments of this character could be carried on? A person who has an idea that he has discovered a feasible process for reducing ores should be allowed to make experiments at such an institution without being called upon personally to bear the cost. Why should we not have an institution at Ottawa for encouraging the development of these processes?

Mr. TEMPLEMAN. I am hopeful that before long we will have an experimental tation of that kind in Ottawa.

Mr. HUGHES. A big one?

Mr. TEMPLEMAN. Well, just as large as parliament is willing to justify. I hope in a few weeks we will be able to invite the members of parliament to visit that plant, and show them what can be done in producing a cheap fuel from peat.

Mr. HUGHES. You won't want the St. Lawrence power then?

Mr. TEMPLEMAN. We hope in combination with that plant in the same building to have a small plant for the purpose of carrying on metallurgical experiments just as my hon. friend has suggested. I am in full sympathy with his idea, and it is the intention of the department to accomplish results in that way. I hope that before another year we will have a small laboratory, probably on a small commercial scale to carry out these ideas.

Mr. SPROULE. The hon. gentleman promised that he would give us the result of the bounty payments, and to what extent advantage was taken of the lead bounty Act.

Mr. TEMPLEMAN. The result of the payment of the bounty for lead has been extremely satisfactory to the mining industry, and has not been a very heavy charge upon the country. The first lead bounty Act giving $2,500,000 for the development of the zinc industry was passed about seven years ago.

Mr. SPROULE. It was passed in 1908.

Mr. TEMPLEMAN. The Act of 1908 simply continued the payment of the bounty but did not vote any new sum of money. During the first five years of the lead bounty Act, there was only $700,000 or $800,000 paid out of the bounty fund, and when the Act of 1908 was passed there was about $1,750,000 at the disposal of the mining industry for bounties. Since that time we have continued paying bounties, but there still remains over $1,000,000 in the fund unexpended. The total amount expended during the last seven years for this purpose is approximately $1,500,000. I do not remember the exact figures, but I think at the present time the production of lead in Canada is about 22,000 tons.

Mr. SPROULE. I thought the minister would give us some comparative statistics which would enable us to see whether the bounty has stimulated the production of lead.

Mr. TEMPLEMAN. There is no production of metallic zinc in Canada. Zinc ores have been exported from Canada to the United States for some years, and this exportation has been profitable to our mining men; but owing to the high tax imposed on zinc ores by the Payne-Aldrich tariff, this exportation has been practically suspended except perhaps in the case of the highest grade ores. There has never been a zinc smelter in operation as a commercial industry in Canada. One was built at Frank in the Crowsnest pass, but I believe was not operated further at all events to demonstrate that it was not a success.

Mr. SPROULE. In order to determine whether or not the bounty has expanded the business, we ought to know what the total product was before the bounty was paid and what it has been since. Subsection 2 of section 2 of the Act provides that if the output amounts to 33,333 tons in any one year, the bounty will be reduced, I presume that it has not yet reached the point which would justify any reduction in the bounty.

Mr. TEMPLEMAN. While we voted $2,500,000 for lead bounties, the amount that could be expended in any one year was limited to $500,000, the amount of the bounty being $15 a ton. If the production exceeded 33,333 tons per annum, necessarily the amount paid per ton would have to be reduced; that is the meaning of the clause to which my hon. friend has referred. The bounty is paid on a sliding scale, based on the price of lead in the London market. As the price goes up, the amount of the bounty paid is relatively reduced, so that if lead goes up to £17 10s. or £18 the lead bounty disappears altogether. It is for that reason that the total amount of $500,000 has not been earned in any one year in the last seven years—the price did not always necessitate the payment of the full bounty.

Mr. SPROULE. My aim in asking the question I have has been to ascertain to what extent this bounty was stimulating the production of lead. If we found an increasing amount paid in each succeeding year, we would naturally conclude that the bounty was doing a great deal of good, and we would be in a position to decide whether or not it would be wise to set apart money to stimulate the production of another metallic product.

Mr. TEMPLEMAN. The fact that a gradually increasing amount was paid each year would be of no evidence that the amount of lead production was increasing, for the reason that we have to take into account the price of lead in the London market. But, speaking generally, I have not the slightest doubt that the lead bounty has been a great incentive to the lead-mining industry, particularly in British Columbia. I believe that any one who knows the conditions in the Kootenay country is well aware that but for this bounty the industry would have gone down. It has been due to the assurance that with the aid of the bounty a profitable price could be obtained for lead, that the lead-refining industry has continued to successfully operate during the last seven years. The granting of the lead bounty by this government has been fully justified.

Mr. SPROULE. I do not say that it has not been justified; but I do not agree with the contention of the minister that the amount of bounty paid out from year to year is no evidence of the quantity of lead produced. To my mind there is an absence of that data which the House requires in order to determine whether we are wise or not in endeavouring to stimulate the production of lead in that way. This information we ought to have before we get through. If we found there were 25,000 tons produced this year, 23,000 tons the year before, and 17,000 the previous year and a proportionate amount of bounty paid out each year, that would be an evidence that the industry was being stimulated, but if it were found that there was no increase of production from year to year, whether we paid much or little, that would be an evidence that the production was not stimulated by the bounty. It is the fullest information which we ought to have in order to understand whether this is doing good or not.

Mr. TEMPLEMAN. I shall bring down all that information on the third reading.

Mr. SPROULE. From the time we began to pay the bounty.

Bill reported.

SALE OF BABY FARM.

Bill (No. 181) to authorize the sale or other disposal of certain public lands, and the acquisiton of certain other lands, in or in the vicinity of the cities of Toronto and Winnipeg, respectively.—Sir Frederick Borden—read the second time, and House went into committee thereon.

On section 1,

Mr. MACDONELL. Will the hon. minister explain the reason for this section, and tell us the story of this land transaction?

Sir FREDERICK BORDEN. This Bill is founded on a resolution which passed the 21st of March last, and was very fully discussed at the time. I may repeat shortly now the reasons. The Baby farm was found rather small for our requirements. It was also ascertained that the land could be sold at a very large profit, and that the amount realized could be used to purchase more than three times as much land in the vicinity of Toronto at a point even more convenient.

Mr. W. F. MACLEAN. What is the acreage?

Sir FREDERICK BORDEN. About 160 acres, and it can be sold for $1,000 or more per acre. A precisely similar course was pursued a couple of years ago in the sale of land in Toronto and Montreal, and I think it is entirely in the public interest, as well as in the interest of the militia, that this farm should be sold and other land acquired.

Mr. MACDONELL. According to the hon. minister then the Baby farm has been abandoned and is to be sold. How will that affect the construction of the barracks?

Sir FREDERICK BORDEN. That will in no way delay the construction of the barracks.

Mr. MACDONELL. Would the hon. minister have any objection to stating where the government have decided to locate the barracks—what property they have selected?

Sir FREDERICK BORDEN. I think it would be undesirable at present to state even the locality except to say that it will be quite as convenient to the city of Toronto as the Baby farm. It is probable that we may have to resort to expropriation, but that may not be the case, and in any event I think it undesirable that I should state now the exact locality. But I may say that the site has been selected by Colonel Otter and other officers who know exactly where they wish to locate.

Mr. W. F. MACLEAN. Will the hon. minister state what direction it is from the city?

Sir FREDERICK BORDEN. I would rather not say.

Mr. J. A. CURRIE. The government has made a speculation apparently out of the Baby farm. The city of Toronto wished to get the use of the Stanley barracks, and so agreed to purchase another property for the government, for which they paid $20,000. The government has been using the Stanley barracks all this time and have made a profit of over $100,000 on the whole transaction. I think that the $20,000 should be paid back to the city of Toronto, and the Stanley barracks be given to that city as a gift.

Sir FREDERICK BORDEN. I think the city got a very good bargain when it accepted the Stanley barracks, because it got them at really below the actual value.

Mr. MACDONELL. I think the party aggrieved, if any one is, is the militia corps. The government bought the Baby farm some five years ago. At that time the barracks could not afford sufficient accommodation and it was expected that a new barracks would be built on the Baby farm. As far back as two years ago, considerable sums were put in the estimates for that purpose, but so far the government have done nothing except hold this land, which has greatly appreciated in value. I understand that they are making $100,000 out of the transaction. The militia are no further advanced than they were five years ago, and the government are about to embark in a new property transaction, which they may hold for speculation another five years. What assurance will the minister give, if any, with regard to acquiring this site and immediately commencing the construction of the barracks which are so badly needed for the accommodation of the militia in the Toronto district?

Sir WILFRID LAURIER. As the discussion may last some time, I move that the committee rise, report progress, and ask leave to sit again.

Progress reported.

WAYS AND MEANS—TARIFF NEGOTIATIONS WITH THE UNITED STATES.

Hon. W. S. FIELDING (Minister of Finance) moved that the House go into Committee of Ways and Means. He said:

I desire to avail myself of this, the very earliest, opportunity of presenting to the House a statement concerning the negotiations which have recently occurred with respect to the question of commercial relations between the United States and Canada. One need hardly say anything as to the great importance of the subject. Living, as we do, close beside the great republic, and in close connection with it in many ways, it must at all times be of the utmost importance that we should maintain, as far as possible, friendly relations with that great country. Notwithstanding a tariff situation which we in Canada regard as somewhat unfavourable, the volume of our present trade is a very large one. Fifty per cent of the total trade of Canada is with the United States; fifty-nine per cent of our imports come from the United States, and thirty-five per cent of our exports are sent to the United States. And this occurs under tariff conditions which we in Canada, at all events, have regarded as not as favourable as we should wish them to be. The importance of the question was recognized at an early stage of the session by an hon. member opposite, who suggested that, before we should proceed with the final approval or our second or supplementary French treaty, we should ascertain whether the government of the United States would regard that treaty as one discriminating against the trade of the republic. While we realized the great importance of the matter, we did not think it would be wise to take that course. We had had negotiations from time to time with our American friends in relation to better trade conditions, and they had not turned out very successfully. We had, after repeated efforts, taken the ground that we should not again approach the United States with proposals for betterment of our trade relations, and that, if the matter was to be reopened again, it should be reopened, not upon the initiative of Canada, but upon the initiative of the United States. Accordingly, we declined to make any approach to the United States while the question of the French treaty was pending. That treaty was approved in due course, I am glad to say, not only by this side of the House, but little less than unanimously by parliament. We were bound to maintain the right of Canada, through the proper and accredited channels, to enter into trade treaties with any other country with which we might find it convenient to do business, and we felt that, to approach the United States in the manner suggested, would be to recognize their right to restrict our liberty in that respect.

Now, happily, Sir, the condition is changed. We declined to go to the United States on the subject, but the United States has taken the responsibility of taking the initiative. Ottawa no longer takes the initiative, but Washington takes the first step of asking that we open negotiations for better trade relations.

Mr. HUGHES. Did not the editor of the 'Globe' go down there with his hat in his hand?

Mr. FIELDING. If my hon. friend (Mr. Hughes) is a regular and attentive reader of the 'Globe', I am surprised that he does not profit more from it. The United States tariff, I have said, is one which we have not regarded as favourable to Canadian trade. For years we had what was commonly known as the Dingley tariff. the new tariff law is known as the Payne-Aldrich tariff. In some respects, the new tariff is less favourable than the old one to Canadian interests; I think there are one or two cases of that kind. In other respects, the new tariff is more favourable to our trade than the Dingley tariff was. Taking it all in all, it is calculated that the Payne-Aldrich tariff is better for Canada. As respects last year's imports—taking these as an illustration—if we take the new tariff and apply it to the exports from Canada to the United States last year, it is claimed, the changes under the Payne-Aldrich tariff would be equivalent to $1,000,000 in our favour. That is to say, those who pay the duty—and I am not now entering into that aspect of the question—on these Canadian goods will pay about $1,000,000 less under the Payne-Aldrich tariff than would have been paid under the Dingley tariff. It is well to note, therefore, that to that extent there has been somewhat of an improvement. Nevertheless, the American tariff of to-day is quite a high tariff. And if upon that high tariff there should be placed in addition the maximum tariff of the United States, as proposed by a clause of the Payne-Aldrich Bill, undoubtedly the tariff burden would be so great upon Canadian industry as to practically become prohibitive. If that maximum tariff had to be applied, it would, I suppose. almost inevitably follow that Canada would be obliged to adopt retaliatory measures. There will be those who say that that does not necessarily follow; those who say that retaliation is not the most effective method of dealing with foreign nations. I do not subscribe to that doctrine. I think that experience, even the experience of Canada, shows that retaliatory measures sometimes becomes necessary in self-defence. I think that if the maximum tariff of the United States had to be applied to Canada, it is more than probable that public opinion in Canada would have demanded retaliation from this side in the form of the present surtax, or, perhaps, a larger surtax, and perhaps, in other respects as well. This, undoubtedly would

have brought about a most deplorable tariff war. Now, in that tariff war, my own judgment is, the United States would have suffered more than Canada, but both parties would have suffered, and suffered in an enormous degree. There is no doubt that large interests in Canada would have been affected immediately. There are some important interests in Canada which are so closely associated with the United States markets that to have those markets suddenly closed against them would be held as a great misfortune. Nevertheless, even the men in these lines of industry, who realize that they, perhaps, would be the first to suffer, were as, a rule, disposed to take the ground that we ought not to make concessions to the United States of the large character they were said to be demanding, and that we should stand firm and insist upon the right of Canada to pursue her own commercial policy. These men were willing to bear the burden if necessary. Every one of these men with whom I had the pleasure of discussing this question personally said: This will be a great disaster; if it be possible by any moderate concession to avert such a disaster, it is the duty of the government and parliament of Canada to adopt that course. That is the spirit in which, then, we have approached the question.

So long as the United States government acted in what may possibly be called an unfriendly spirit—speaking in a commercial sense—so long as they placed their high tariff upon Canadian products and refused all overtures from Canada, the public opinion of Canada was most pronounced that we were bound to resent such a policy, to maintain our honour, our independence. But the moment the United States indicated their willingness to open negotiations, the moment they expressed the desire to come to Canada and discuss the question with us, that moment the government felt—and I am sure parliament will feel—that it was our duty to meet them in the spirt in which they have come to us. Several weeks ago the Secretary of State for the United States, Mr. Knox, informed the British Ambassador at Washington that it was the desire of the United States to open up negotiations with Canada in respect to these important questions, and he desired to know the manner in which these negotiations could be best conducted. The British Ambassador, Mr. Bryce, informed him very properly that the best way to deal with a matter of that kind was to open up direct negotiations with the Canadian government.

Mr. J. A. CURRIE. Will this correspondence be laid on the table?

Mr. FIELDING. I can say to my hon. friend that there is very little correspondence in this matter beyond what I shall submit before the close of my remarks. There have been some few letters, between the ambassador of the British government, the American government and ourselves, which may have to be regarded as of a confidential character. However, I am giving to my hon. friend the substance of it, and there is nothing in it that is not contained in what I have already communicated to the House. It may be necessary, later on, to bring it down; I offer no opinion as to that. The negotiations have been conducted largely without correspondence, and there is very little to be added in the way of correspondence to what I shall submit to the House. But if it be found that there is something beyond, I shall be happy to bring it down.

Mr. SPROULE. Was there not some memoranda made of the negotiations as they went on, so as to keep a record of them?

Mr. FIELDING. It is important to keep a record of the conclusions, but in negotiations between governments in matters of that sort, it is not always necessary to keep records or memoranda of things that occur from day to day. It is important to make records of any conclusions that are reached, and the statement that I shall make will contain all the information that can be desired. But in saying that, if it be found that there is any correspondence having any proper bearing on this question we shall have no objection to bring it down, unless it is found to be of a confidential character.

Mr. J. A. CURRIE. The minister referred to certain correspondence as passing between the British ambassador and the Secretary of State, in which certain matters regarding the tariff are referred to, and I asked the question whether that correspondence will be laid on the table?

Mr. FIELDING. The question is a fair one. The ambassador at Washington and the Secretary of State exchanged brief notes; they were for the moment confidential, but I do not know that any objection could be had to bringing them down. But in all matters of that kind it is necessary that there should be confidential communications, as my hon. friend knows. If these communications are of that confidential character, we could not produce them to the House. I can assure my hon. friend, however, that the statement I shall make will contain the substance of the whole negotiations. As I was saying, the Canadian government were informed that it was the intention of the United States to

send to Ottawa two of its prominent officials connected with commercial matters, Professor Henry C. Emery, chairman of the Tariff Commission appointed not long ago in connection with the new tariff law, and Mr. C. M. Pepper, an officer of the State Department, having special charge of commercial affairs. These two gentlemen came to Ottawa and spent some days in communication with us. The government were represented in that negotiation by the Prime Minister and the Minister of Finance. The whole question was discussed very freely, and I think the negotiation was helpful in enabling each to understand more clearly the ground taken by the other. But no conclusion was reached at the moment which justified the anticipation of a favourable settlement. These gentlemen returned to Washington to report to the United States government. It was announced in general terms in their press that their mission was unsuccessful. If it be unsuccessful for them to have come to Ottawa and not to have brought the matter to a final conclusion, that perhaps would be a fair statement. But I do not regard their mission as unsuccessful. I consider that the negotiations which took place in Ottawa between these gentlemen and the Canadian ministers, and the opportunity they had of mingling amongst Canadian citizens, and understanding the Canadian side of the question better, were helpful in the arrangements which were subsequently made; so I do not regard the mission of Professor Emery and Mr. Pepper to Ottawa in any sense as unsuccessful, because I am sure they had a useful bearing upon the arrangements that were finally made.

The first sign of a difference between the United States and Canada on this important question was in relation to a point which has not recently attracted much notice. It has ceased to be a prominent feature of this matter, and perhaps there is no need of dwelling on it, but for a certain reason I wish to make a passing reference to it. In the Payne Bill as it passed the House of Representatives—the name of Mr. Aldrich had not then become attached to it—in the Payne Bill there was a clause proposed to penalize the trade of countries which might discriminate against the United States. Then there was a proviso inserted which at first glance seemed to take into account the British preference, and recognizing it as a legitimate preference and not a discrimination. The words of the proviso were as follows:

> Provided however that these provisions for additional duties shall not apply to cases where preferential duties to other countries are those given by a province, dependency or colony to the mother country only.

At first glance it might seem that that clause had been put in to recognize the preferential arrangements which Canada had made within the British empire. But upon more careful examination it will be observed that special mention is made to the granting of a preference by a colony or dependency to the mother country only. The effect of that clause, if it had remained in the Act, would have been that the United States would have recognized our right to grant a preference to Great Britain, but would not have recognized our right to grant a similar preference to any other portion of the British empire. As we had granted preferences to New Zealand, to South Africa, to British India and to the West Indies, if that clause had remained in the Payne Bill, that would have been held to be discriminating against the United States, because we grant preferences to these colonies which are not granted to the United States. Fortunately, however, that clause was not adopted by the Senate; the penalizing clause, as I have described it, was rewritten in the Senate, and no reference was made in it to any such preference. I mention this matter because it seems to have an important bearing upon certain negotiations which are in progress between Canada and the West Indies. My hon. friends will recollect that a Royal Commission has been inquiring into the trade relations between Canada and the West Indies. The Minister of Customs and myself were appointed members of that commission. My hon. friend the Minister of Customs was fortunately able to go to the West Indies and participate in the deliberations. When they visited the Island of Jamaica they found it strongly inclined to trade with Canada, but the representative men of the commercial bodies appearing before the Royal Commission expressed the fear that if they granted any preferential treatment to Canada, if they entered into a preferential arrangement of that kind, it would be regarded in the United States as a discrimination, and would bring about retaliatory measures on the part of the United States. As the trade of Jamaica with the United States was very considerable, our friends in Jamaica were unwilling to run any risk on that score. They expressed a desire that Canada in some way would be able to arrange that no discrimination should be held to exist and no retaliation adopted. Of course, it is not in our power to make any arrangement of that kind on behalf of the United States. But it is worthy of note that in the negotiations which have recently taken place between the United States and Canada touching undue discrimination, the United States have not at all raised the question as to the British preference.

Neither as to our right to give a preference to Great Britain, nor as to our right to give a preference to any portions of the British empire has any question whatever been raised by the government of the United States. They recognize that this is a matter of family arrangement within the British empire and that no fault could be found with it. I mention this for the information of my friends in Jamaica, who I hope will see in it an indication that the United States would not regard the making of a trade arrangement between Jamaica and Canada as being of an unfriendly character or involving undue discrimination.

I said that when in the Senate the penalizing clause was rewritten, no reference was made to preferential arrangements between the mother country and her colonies, but provision was made that in case any country should establish what is called undue discrimination against the United States there should be an additional duty imposed of 25 per cent. It was provided that this so-called maximum tariff would come into operation on the first day of April of the present year. I would like the House to note particularly, for I find there is much confusion on the subject, that this maximum tariff means 25 per cent of the value of the article and not 25 per cent of the duty levied. I have found widespread error in that respect; I have found that many prominent mercantile men, who have not given the question careful attention, have been labouring under the mistake of supposing that the maximum tariff only meant the addition of 25 per cent to the duties already levied. For example, if the duty of $100 worth of goods was $30, or 30 per cent, the idea was that the maximum tariff would add one-quarter of the duty, or $7.50, that that would just make it, instead of 30 per cent, 37½ per cent, and that while that would be rather a high duty it would not necessarily be a prohibitive duty. But if one reads more carefully the maximum clause of the United States tariff law, he will find that it is not 25 per cent of the duty, but 25 per cent of the value of the article. Taking the article I have mentioned by way of illustration—an article of the value of $100 at 30 per cent—the additional duty would not be one-quarter of 30, or 37½, but the duty would be 30 per cent, plus one-quarter of the value of the article, or $25; so that the duty would not be $37.50, but it would be $55, it being $30, the original duty plus one-quarter or 25 per cent of the value of the article. I have been surprised to find how widespread the impression is that the maximum tariff would only add a small amount to the duty of the main tariff.

Then, another point we had to take into consideration was that this maximum tariff would be applied automatically. It was not something that the president would bring upon us by some act of his own. It was not as if the president had to do this thing, and he might be persuaded not to do it. The law provided that on the first of April the maximum tariff was to come into operation unless in the meantime the president had, by proclamation, granted exemption and brought the minimum tariff into operation. It is important to note that, because if the president simply remains silent, if the president shall do nothing and simply lets matters drift, that maximum tariff will come into operation the first of April. It was necessary, therefore, to ascertain whether the president could be induced by reasonable arguments and, if necessary, even by reasonable concessions, to issue a proclamation which would extend to Canada the benefit of the so-called minimum tariff.

As to the general grounds of difference between the two countries, as I have already pointed out there is not much correspondence on the subject and we cannot bring down any documents showing formal demands made by the United States upon us, but although the press was not always accurate in its details, it is probably right that I should say that in a general way the United States press has given to the world a pretty fair idea of the points of difference beween the government of Canada and the government of the United States. There was one question of importance which engaged our attention to a limited extent, but which did not ultimately become a matter of negotiation. It was a matter of friendly discussion, but our American friends thought there was nothing to be done and so they did not formulate any demand upon it. I refer to the pulp wood question. The United States would have been pleased if we could have made some friendly arrangements with the provincial governments whereby the restrictions now made or likely to be made as respects the shipments of pulp wood to the United States might be modified. It is well known that the provincial governments have no power to levy an export duty, or to prohibit the export of anything to a foreign country, for that can only be done by the parliament of Canada. But nevertheless, the provinces can to a large extent accomplish the same result. The provincial governments are the owners of large tracts of timber lands which they lease to those who may wish to operate them, and as owners of the lands it is their right to stipulate the terms and conditions upon which these leases shall be taken. In the province of Ontario, as is well known, a condition of the lease is that the wood shall be manufactured in Canada. In the province of Quebec there

is a distinction made between the rate of stumpage levied on the wood manufactured in Canada and that which is not so manufactured. And it has been publicly announced that there is a probability that the Quebec government will proceed further and adopt practically the Ontario policy. The Americans were naturally interested in that. Many of the people of the republic have come into Canada or have sent their money into Canada, and are as large owners of these wood lands, and they would like very well if they could have the utmost freedom with regard to the shipment of this wood product. In the course of discussion this was mentioned to our government. We, of course, had only to point out that this is a matter of provincial concern; that we have no right and would not claim any right of interference with a a province in this matter, and so, after a little discussion, it was recognized that this was not a matter with which we could deal, and no demand was made on the part of the United States government that anybody should grant this relief which they very much desired.

Mr. W. F. MACLEAN. Does that refer to the export duty imposed by the Dominion? Was any request made upon this government with regard to that?

Mr. FIELDING. They would have been exceedingly pleased if the government of Canada could have helped them in any way with regard to greater freedom in the shipment of this wood, but all I can say to my hon. friend is that we have made no arrangement of any kind in that matter. The right of the parliament of Canada to levy such export duty or to prohibit such export remains untouched.

Mr. SPROULE. In the event of the parliament of Canada levying an export duty, or in the event of a regulation by a province compelling the pulp to be manufactured in the country, would that be regarded by the United States as a violation of their tariff law, sufficient to induce them to retaliate?

Mr. FIELDING. We have claimed that that could not in any sense be regarded as a tariff discrimination, and I think I may fairly say that they accepted our contention in that respect. It has ceased to be an issue between us. They are quite aware that all we could do would be in the line of what has been suggested by my hon. friend from South York (Mr. Maclean)—that we have the power to levy an export duty, and we could with the consent of the parliament of Canada bargain with them that we would not do so, but of course that is a large order. All I can say to my hon. friend is that the right of the parliament and the government of Canada to deal with that question as it may best be dealt with in the public interest of Canada remains unchanged.

Mr. SPROULE. The provision in their tariff law dealing with pulp wood says:

> Mechanically ground wood pulp, one-twelfth of one cent per pound dry weight: Provided, however, that mechanically ground wood pulp shall be admitted free of duty from any country, dependency, province, or other subdivision of government (being the product thereof) which does not forbid or restrict in any way the exportation of (whether by law, order, regulation, contractural relation, or otherwise, directly or indirectly) or impose any export duty, export license fee, or other export charge of any kind whatsoever, either directly or indirectly (whether in the form of additional charge or license fee or otherwise), upon printing paper, mechanically ground wood pulp, or wood for use in the manufacture of wood pulp.

If I am correct in my understanding of it, I take it that in the event of the provinces passing a regulation which would compel their pulp wood to be manufactured in the province, or in the event of an export duty being imposed upon that pulp wood, it would not be regarded as a violation of their tariff law.

Mr. FIELDING. I have been dealing entirely with the proposed application of their maximum tariff, and what my hon. friend (Mr. Sproule) says has no reference to that. There is a provision in their tariff law, in operation to-day, which levies a different duty upon pulp manufactured from wood produced in certain quarters, as compared with the duty levied on pulp from certain other quarters, but that is not under the maximum tariff. That is under another clause in the Tariff Act. It is in operation to-day, and we have not had that matter before us in any shape or form. It is not touched at all by our negotiations.

Mr. J. A. CURRIE. Then the minister means that as the matter stands we have to take the maximum of the American tariff upon any pulp wood or pulp sent into the United States.

Mr. FIELDING. No, I think there is a little confusion there. There is a special regulation with regard to pulp, and a special tax upon pulp which comes from the Crown lands of the provinces which impose these restrictions, but that is separate, and apart from the maximum tariff; the maximum tariff is another thing.

Mr. J. A. CURRIE. And Canada has to pay that tax?

Mr. FIELDING. The question of who pays a particular tax is a large one.

Mr. J. A. CURRIE. I do not wish to enter into dialectics about it at all. Does not that tax now apply to the products of Quebec and Ontario?

Mr. FIELDING. Yes it does, but it has no relation whatever to the maximum tariff, and therefore it does not come within the scope of my observations. There is such a clause in operation now, and what I have to say does not in any way effect it. Now, the proposal was that the maximum tariff would be imposed upon all the products of Canada, and it is with that matter I am now dealing. The clause to which my hon. friend refers is in the tariff law; it is in operation to-day, and my observations do not touch it at all.

Mr. SPROULE. That clause is that the amount of the export duty levied shall be added to the duty in the United States.

Mr. FIELDING. That has reference to particular cases which have already arisen in some degree in Ontario, and in a limited degree in Quebec. I believe to-day there is a different tax being levied upon some pulp taken out from the province of Ontario compared with what is levied in other cases. I do not think very much of it is paid, but I am informed there are cases in which that special tax has been paid. At all events, that is not under the maximum tariff clause; it is under a different division of the tariff, and I am not now dealing with it.

Then, I come to the larger question of what is commonly called the Franco-Canadian treaty. In a general way the United States government have taken the ground that the Franco-Canadian treaty is a discrimination; an undue discrimination against them. That is to say, that since we granted certain rates of duty to the products of France, and of certain other countries, which we did not grant to the United States, that amounts to discrimination, and it was assumed generally that in order to avoid the maximum tariff we should grant to the United States what we granted to France under the Franco-Canadian treaty, covering 110 tariff numbers of the Canadian tariff.

We were not disposed to admit that rule. We claimed that our treaty with France was a treaty of reciprocity; that is to say, that we granted to France certain concessions in return for which France granted us similar or equivalent concessions. We said to the United States: If you want these concessions that France received from us, you should be prepared to purchase them as France did by giving what we would regard as equivalent concessions. To that our friends in the United States naturally demurred. They claimed that if they gave us what is called the favoured-nation treatment—the best that was going —that we should do the same with them. That, however, we thought was a view we ought not to take. We refused to take it in the beginning, and we refuse to take it now.

There is a misapprehension with respect to this Franco-Canadian treaty in one respect. I read recently a newspaper article which treated our difference with the United States as one which arose in consequence of our recent French treaty. That is a mistake. If the new French treaty had not been entered into at all, the same question would have arisen, because we had another French treaty, a treaty not so comprehensive as the later one, but which was in principle the same. We have had since the year 1894 a treaty with France, and which incidentally, in consequence of the favoured-nation conditions, we granted to other countries. We granted to France and these other countries concessions which we did not grant to the United States, so that in principle the question that we have with the United States to-day is the same question that would have presented itself even if our recent Franco-Canadian treaty had never been adopted, because we would have still had an outstanding French treaty in which there were rates granted to France which were not granted to the United States, and consequently there would have been the same ground for the contention——

Mr. MIDDLEBRO. May I ask whether it was the treaty of 1894 or the treaty passed with France last year which in the opinion of the American representatives constituted a discrimination?

Mr. FIELDING. The treaty of 1893 has ceased to exist, and consequently it could not be a discrimination, but if we had not brought forward the new treaty the old treaty would have remained in existence. The old treaty was abolished by the terms of the new treaty, and if the new treaty had not been negotiated the old treaty would have remained, and the principle of discrimination as between France and the United States was as clearly set forth in the old treaty as it was in the new. The new treaty is more comprehensive in character, but the principle of discrimination—if it be discrimination—is to be found in the old treaty as well as in the new. Our contention was that our treaty with France was a reciprocal treaty. We said to our American friends that if they were prepared to negotiate with us for better trade relations with Canada, if they were willing to give us what we might regard as adequate concessions, we would be disposed to give them what we might regard as reasonable concessions in return. But, we disputed their right to say that the concessions which we gave to France and to other countries in return for favours, should be

given to the United States without any compensation to us at all.

There is another aspect of the question. It was said, and there was a little force in it, that we not only gave these concessions to France in return for favours, but that we gave them, through the favoured-nation treaties of olden time, to a number of other countries without receiving any specific concession. Now, these other countries which enjoy the French treaty by virtue of the old favoured-nation treaties are for the most part unimportant. There are some of them with which we have a considerable trade, but most of them, certainly one-half of them, are countries with which we have little or no trade, and they cannot come into competition with the United States. But they have received these privileges, not by virtue of any treaty we have ourselves made with them, but by virtue of the favoured-nation clause which was found in old treaties made very many years ago by the British authorities at a time when the colonies had not attained to their present status. It is hardly necessary to remind the House that Great Britain no longer makes any commercial treaties concerning Canada without first obtaining the consent and concurrence of Canada; but these old treaties remaining in operation from many years ago do contain that clause, and as they have not been denounced, it became necessary we should grant to a number of these countries the same privileges as we granted to France.

We were able to point out to our friends of the United States that they probably could have stood in the same position as these other countries, and that if they were not in the same position, it was because they had never been willing to accept the British idea of what favoured-nation treaties meant; that they had always preferred to stand outside——

Mr. J. A. CURRIE. What is the British idea?

Mr. FIELDING. The British idea does not insist on favour for favour. The British idea holds—and our American friends just now are disposed to use it up to a certain point—that if you give to France, for example, a certain concession and you get from France a return for it, if you have a favoured-nation treaty with another country you are bound to give these favours to the other country without demanding a return. The essence of it is that you must give these other countries the best terms that are going. The Americans have never accepted that rule. They have never come into the family of favoured nations in that respect, and they could not now complain if, because of their own action and policy in relation to that question, they have not stood in as good a position as some other countries. However, beneath it all there was the point that Canada was bound to insist on her right to make these treaties without stopping to consider whether or not they would be agreeable to another country, and we have endeavoured to insist on that right all through.

Mr. W. F. MACLEAN. Will the minister pardon me if I ask him here if the United States government, as a result of these negotiations, has abandoned its contention that the reciprocal relations between Canada and another country are to be construed as bringing Canada within the clause which puts her under the higher tariff?

Mr. FIELDING. I think that the information which I will give to the House as to the concessions which we propose to make will answer my hon. friend's question. It will show that we are going to receive from the United States the advantages of the minimum tariff, but that we do not propose to grant to the United States all that we have granted to France and other favoured-nation countries.

Mr. W. F. MACLEAN. Then they have abandoned the claim they have made?

Mr. FIELDING. I think that when the President issues his proclamation this afternoon that will constitute an abandonment of the claim. At the same time, I do not wish to interpret the actions of our neighbours to the south. When we receive the advantages of the minimum tariff and they issue their proclamation accordingly, I consider that that will constitute an abandonment of the claim that they are entitled to receive whatever favours we give to other countries. We certainly do not admit that claim, and have taken pains to put that fact on record. At the same time, I do not wish to interpret their attitude; but when they grant us the advantages of the minimum tariff, and receive from us in return, not all the concessions of the French treaty, but a small part of them, I consider that that constitutes an abandonment of any contention that they have a right to interfere with our liberty in treaty-making.

The next stage of this matter arose in connection with the visit of President Taft to Albany to take part in an interesting function to which the Governor General of Canada was also invited. Albany may be considered a half-way house between Washington and Ottawa, and it came to our knowledge that the President had expressed a desire to take up this matter personally, and would be pleased if arrangements could be made that he might himself discuss the matter with representatives of the Canadian government.

Mr. J. D. REID. Who advised the government of his desire?

Mr. FIELDING. What bearing has that upon the matter? So long as the fact is correct, what matters it how we ascertained it?

Mr. J. D. REID. Was it, or was it not from the editor of the Toronto 'Globe'?

Mr. FIELDING. Here is another case of a gentleman who is concerned about the Toronto 'Globe' who has never profited much from its instructions.

Mr. HUGHES. If the hon. gentleman is referring to me, I wish to say that I made reference not to the 'Globe' at all, but to the gentleman who runs the 'Globe', and who also seems to run this government.

Mr. FIELDING. Well, he runs other people as well, it seems. I may say frankly that I believe the editor of the 'Globe' has done a useful public service. I am delighted to give him that credit in the presence of the House.

Mr. HUGHES. Don't disown him.

Mr. FIELDING. I do not disown him. As I have stated, the president was going to Albany and an intimation reached us that he would be pleased to discuss the matter with representatives of this government. If my hon. friend wants to know from whom the intimation came, I can asure him that it came from Mr. Wm. H. Taft, the President of the United States.

Mr. J. D. REID. Through the negotiations of Mr. Macdonald of the 'Globe'.

Mr. FIELDING. If it was so, we do not object. We are perfectly willing to receive good words from whatever source they come.

Mr. J. D. REID. May I ask the Minister of Finance if he or the First Minister sent Mr. Macdonald down to Washington to make the negotiations?

Mr. FIELDING. Of what consequence is it?

Mr. J. D. REID. Why did not the First Minister send a member of his government instead of the editor of the Toronto 'Globe'?

Mr. FIELDING. That is exactly what the First Minister did.

Mr. J. D. REID. After Mr. Macdonald had gone to Washington and negotiated.

Mr. FIELDING. Many people went to Washington. It is a large and beautiful city, and many people besides Mr. Macdonald went there and had discussions with the United States government on this matter long before Mr. Macdonald did.

Mr. J. D. REID. But the hon. gentleman does not deny that the First Minister, or the Finance Minister sent Mr. Macdonald to make negotiations.

Mr. FIELDING. I do not deny it because I do not know why the hon. gentleman should state it.

Mr. J. A. CURRIE. The reason is that it is not the first time that the editor of the 'Globe' has gone as a quasi outside ambassador to negotiate a treaty.

Mr. FIELDING. I remember a time when the stately editor of the 'Globe', the Hon. George Brown, went to Washington, not as an outside ambassador, but as the duly authorized commissioner of this government, in 1874 for that purpose; and if the 'Globe' of later years is willing to do good service for the country, let us by all means acknowledge it.

Mr. J. D. REID. Did the Minister of Finance send Mr. Macdonald there to negotiate?

Mr. FIELDING. If the hon. gentleman states it——

Mr. J. D. REID. But you do not deny it.

Mr. FIELDING. I do not think it important to deny half the things the hon. gentleman says.

Mr. J. A. CURRIE. Why was not the present editor of the 'Globe' clothed with the same dignity as his predecessor?

Mr. FIELDING. Can my hon. friend tell me exactly all the powers that were extended to his predecessor?

Mr. J. A. CURRIE. I think I can. I have the book right here, if you want me to read them.

Mr. FIELDING. I hope not.

Mr. HUGHES. The only point is that it was after all this government that first did the bowing, or the crawling, or the opening of the negotiations.

Mr. FIELDING. That statement has not a shadow of foundation. I hope that is sufficiently specific to reach the mind of my hon. friend.

Mr. HUGHES. Not at all.

Mr. FIELDING. Well, it is the best I can do in that process. As I have stated,

the President of the United States sent a telegram requesting that the Minister of Finance might meet him at Albany to discuss the matter.

Mr. J. A. CURRIE. A telegram to whom?

Mr. FIELDING. To myself. I have not the telegram with me or I would read it And let me say that the President expressed the desire that the Prime Minister might also be present. The President said that he was desirous of avoiding any trouble with Canada; and I am satisfied that Mr. Taft, both from a sense of his responsibility in his high office, and from his friendly relations with the people of Canada, as manifested by many years of visiting our country, was earnestly anxious to avoid this trouble if he could. But it was represented to him that the terms of the maximum tariff clause gave him but a limited discretion. He did not feel that he was absolutely free to settle the matter in accordance with his own personal desire, and he felt that that clause had to be considered. Mr. Taft is a great lawyer, and has been a judge, and it was thought by many people in close touch with him that he would feel obliged as a lawyer and an ex-judge to give the maximum tariff clause an interpretation irrespective of what his own personal desire might be. But he was not desirous of straining the clause to our disadvantage. On the contrary, I am sure he would prefer, if there were to be any straining, that it should rather be in order to come to a friendly settlement than otherwise. When it was claimed that in offering us exemption from the maximum tariff they were offering us great concessions, we felt obliged to dissent. We felt that if they wanted us to make some concessions to them, they ought to make concessions to us on their existing tariff. When they proposed, as a means of bridging over the difficulty, that we should give them the French treaty, we had to say 'no, if you are prepared to give us direct concessions below your existing tariff, we are prepared to discuss with you. The President pointed out that he had no power to do that, that Congress only could do that, and that Congress moved slowly in these matters; but he gave us the most positive assurance of his desire to cultivate the most friendly commercial relations with Canada. He made a public speech at the University of Albany, in my hearing, along this line, and he gave a public interview to the editor of the 'Globe', which I hope hon. gentlemen opposite will read, in which he gave expression to the same view; and in all his conversations with me, he was most cordial in the assurance of his desire to bring about closer commercial relations with Canada.

Mr. SPROULE. Who was responsible for the interpretation of this portion of the American law, that where a country discriminates against the United States 'there should be levied, collected and paid on all articles when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Island of Guam and Intuila) the rates of duty prescribed by the schedule and paragraphs of section one of this Act, and in addition thereto 25 per cent ad valorem.' Who was it that gave the interpretation as to what the 25 per cent ad valorem meant? If I understood the hon. minister correctly, it is 25 per cent on the value of the article and not on the duty.

Mr. FIELDING. My hon. friend himself will interpret that clause the moment he reads it. I am afraid that a great many who have not read the clause itself, and have only received information in a general way, have laboured under the impression that it meant 25 per cent of the duty. My hon. friend will see himself, on reading the clause carefully, that it means distinctly 25 per cent ad valorem. No one was called on to give that interpretation. It is the interpretation evident to any one who reads the clause. There is no room for two interpretations. The president is clothed with the power to grant exemption to a country which does not discriminate against the United States. He claims that he has not an absolutely free hand, although he has some considerable measure of discretion. But it was believed by many that the president would be advised by his tariff board, his expert advisers, that the situation in Canada, under the French treaty, did amount to a discrimination, and that he might feel bound in consequence to impose the maximum tariff.

Mr. J. A. CURRIE. Bluff.

Mr. FIELDING. My hon. friend says that President Taft was perhaps bluffing. I will come to that in a moment. We were anxious that, if we were to make some concessions to the United States, they should make us some concessions in return, and the president pointed out very fairly, as I had to admit, that that was not within his power. He could not of himself grant any concessions below the rates of the minimum tariff. That could only be done by Congress, and we all know that Congress moves somewhat slowly, and it would not be possible, within the dates between these negotiations and the 1st of April, to obtain any remedial legislation in Congress.

Mr. ARMSTRONG. Did the president give the minister to understand that he

would use his best efforts at the present Congress to have the duties reduced with regard to Canada?

Mr. FIELDING. Practically, yes. I was coming to that in a moment. Not by specifying a particular section, but he had given us the assurance—and that was the very point I was about to make—of his desire to bring about better trade relations with Canada, involving mutual concessions on the part of both countries.

Mr. SPROULE. Could he give any below the maximum?

Mr. FIELDING. If he could give the minimum, that is below the maximum.

Mr. SPROULE. What I want to know is this. In the event of our imposing certain restrictions upon the trade between us and the United States, either by means of an export duty or otherwise, which would bring us under the maximum tariff or the special provision made in the case of pulp, could he relieve us of that provision which would bring us under the maximum tariff?

Mr. FIELDING. The only thing the president himself can do, under the existing law, is issue a proclamation, and I believe it has been issued at Washington this afternoon—that is the understanding—and if anything could occur which, in his judgment, would amount to discrimination by Canada against the United States, he undoubtedly would have the power to recall that proclamation and thus leave us in the maximum tariff. I feel sure, however, that the whole trend of the negotiations is such as to assure us of the cordial desire of the president to improve our trade relations whatever may happen.

Mr. J. A. CURRIE. I did not understand the hon. minister to say that the president would do his utmost at the present session of Congress to have a reduction made in the tariff.

Mr. FIELDING. I am not sure that it will be done at the present session of Congress. That is a fair matter of debate, but the president gave us abundant assurances of his desire to bring about better relations with Canada, involving mutual trade concessions. There was a time when our people used to say: what is the good of these assurances? We have had hopes before about reciprocity which have not been realized. That is true, but there is this important difference. On all previous occasions we were seeking reciprocity, and the United States were either indifferent or hostile. The situation is changed to-day. It is not Canada which is seeking reciprocity to-day, but the President of the United States comes to the government of Canada and publicly declares his anxiety to open up negotiations. That is all the difference in the world. Under present circumstances, with the President of the United States coming to us in that spirit, I attach the utmost importance to the assurances which he gave us. We separated at Albany with the understanding that the matter might have to be taken up at Washington at an early day. The president gave us the assurance of his willingness to accept a very moderate concession to meet the difficulty. They had asked for the French treaty; they knew we would not give them the French treaty. The question was whether we could give them something short of the French treaty with which they would be content. So, we separated at Albany and resumed the negotiations at Washington on Friday last, when I had the honour and advantage of having accompanying me and associated with me my good friend the Minister of Railways (Mr. Graham). The whole matter was discussed in the same friendly spirit. The desire of both sides was to avoid a tariff war. We could not give to the United States, as I have said, the benefits of the French treaty. We were not prepared to take any steps which would waive our rights and contentions in that respect, and we were not willing to grant any special concessions to the United States. The question that arose was: could we, by making some reduction—not to the United States alone, but to the wide world—create a situation which would be accepted by the President of the United States as a sufficient justification for him to issue the proclamation giving to Canada the benefit of the minimum tariff? That was the problem before us, that was the line upon which we endeavoured to reach a settlement. Now, one of my friends opposite said that this was a bluff. That is possible. There are people in the United States who say that they do not think the president would, in the end, have imposed the maximum tariff upon Canada. That is held by some persons, and, for a time, it was held by a good many. I am bound to say that the best information I could obtain, from sources that were entitled to respect and confidence, led me to believe, for the reasons I have given, that the president, with all his friendly regard for Canada, might have his hand forced and might have to impose the maximum tariff upon us by refraining from issuing his proclamation.

Mr. J. D. REID. Did the hon. minister have that information when the French treaty was being put through?

Mr. FIELDING. It would not have made any difference, anyhow. I cannot understand the application of the hon. member's question to the case before me.

Mr. J. D. REID. The hon. minister (Mr. Fielding) made a speech in which he said that it did not make any difference what view the United States took, the treaty had to go through.

Mr. FIELDING Certainly, that is the view I took. And, if I am not mistaken, the hon. member for Grenville (Mr. J. D. Reid) helped to put it through.

Mr. J. D. REID. I did. But the Minister of Finance (Mr. Fielding) is taking a different course now. He was asked if he would take the step which he has since taken, and he said he would not.

Mr. FIELDING. I dealt with that point early in my present remarks. I said that the suggestion had been offered that, before we approved of the French treaty, we should go to the United States, and practically get their consent to make the treaty.

Mr. NORTHRUP. No, that was not the suggestion.

Mr. FIELDING. Yes, the suggestion was: Before you put this treaty through, find out how the United States will regard it. If that was not the suggestion, what was it?

Mr. NORTHRUP. As the minister has asked the question, no doubt he desires an answer. The whole point was, not that the minister should go to the United States to ascertain their feeling in the matter, but that he should take the trouble to quietly read a statute already passed, and then the law of the land in the United States, in order that he might learn whether, under that law as it stood, he was doing something that might compel us, later, to go on our knees, and ask forgiveness for what we were doing. The hon. minister repudiated anything of the kind that he has done since.

Mr. FIELDING. The hon. member (Mr. Northrup) is not so ingenious as he thinks he is. If he consults the record, he will find that the suggestion was offered that we should not proceed to ratify the French treaty until by some method—I do not know by what method—we should find out what the United States would think of it. That is the position; if it did not mean that, it did not mean anything. And, whether I should go to the United States, or somebody else should go, the essence of the proposition was the same—that we should ascertain whether the United States would be offended by our making the treaty. We said that, with all due respect, we had to contend that it was none of their business what treaty we made, and that position we retain to-day.

Mr. J. D. REID. The minister was brave then, but he has capitulated since.

Mr. FIELDING. The hon. member (Mr. J. D. Reid) was brave in supporting the treaty then, and now he wants to have a nag at it.

Mr. MIDDLEBRO. Perhaps I may be allowed a word. I voted against the French treaty. My recollection is that some member on this side—possibly myself—asked the hon. minister if he did not think the effect of passing the French treaty would be to bring upon us the maximum tariff of the United States. The minister replied that he did not think our passing the treaty would justify the United States in taking that course.

Mr. FIELDING. That is what I said then, and I say the same to-day. More than that, I tell my hon. friend (Mr. Middlebro) now that we have not given the United States the benefit of the French treaty, and we are getting the benefit of the United States minimum tariff.

Mr. ARMSTRONG. Would the minister be good enough to say whether the objections that were raised by the United States government were, practically, altogether owing to the fact that the French treaty had been accepted by this government?

Mr. FIELDING. Largely. That was not the only point, but it was the main point. Undoubtedly, it was the fact that we had granted another country rates of duty which we were not willing to grant to the United States that made the essence of their objection.

Mr. ARMSTRONG. Would the hon. gentleman give us any other point that was objected to outside of the French treaty?

Mr. FIELDING. I told the House at an early stage of my address that the wood question was the subject of some consideration. But it is only fair to say that, after discussion, the United States did not formally present that, and did not, in the end, complain of it.

I have said that it is possible that the United States might not have imposed upon Canada the maximum tariff. My opinion was to the contrary, and my information was received from the best sources in the United States, and is, at all events, as well founded as that of hon. members who hold the contrary. The effect upon these countries of a tariff war was apparent to all well-thinking men. There are men in the

United States, men of influence in that country, who were at one with us in our desire to be exempt from that maximum tariff. Nevertheless, as I have said, our information was that, in all probability the president, friendly though he was would be likely to feel that he was bound to impose the maximum tariff upon us. I am willing to assume that we might have accomplished this without any concession. I am willing to assume, for the moment, that if we had, to use the common phrase, been content to stand pat, we might have obtained the United States minimum tariff. And that, perhaps, would have been a great triumph for Canada. To hurl defiance at the United States when all the nations of Europe were accepting their terms and conditions, might have been a heroic method. 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 have made for the future advantage of the relations between these two peoples. If, therefore, we could avoid the maximum tariff, if it was likely to be imposed, if we could avoid a conflict with the United States by the granting of some concessions—not very numerous, and from our point of view, not very important—I claim that, in the interests of this country for the present, and the future, it was far better that we should make these concessions than even that we should have a triumph over the United States on terms which would have left soreness and ill-feeling and might create friction in the negotiations that arise from time to time. So then, in view of the spirit with which we found the president dealing with the question, believing, as I fully believed, in his earnestness of purpose, in the sincerity of his professions of a desire to establish the best relations with Canada, we felt that it was worth our while to consider whether we could not find some common ground of action, something that we could grant to the United States without injury to ourselves, but which they might accept as an honourable basis of compromise. The question then arose as to what concessions we could grant to them. Two principles were laid down for our guidance, first, that the concessions should not be numerous; we could not give them the 110 numbers of the French treaty or anything approaching it, we could give them only a small number of concessions; second, that these concessions should not involve anything which could place at a disadvantage any of our established Canadian industries.

Mr. W. F. MACLEAN. Do these concessions apply only to the United States, or are they general?

Mr. FIELDING. No, we declined to grant any concessions specifically to the United States. We provide that the concessions which are granted are in the general tariff and shall apply to the whole world.

Mr. MEIGHEN. Would the minister say whether, in his judgment, the concessions he has made, aside from the United States minimum tariff, are more of an advantage than a detriment to this country?

Mr. FIELDING. I think on general principles—I am not sure that my hon. friend will agree with me—that a reduction of duties on articles of general consumption is almost always an advantage to the people.

Mr. MEIGHEN. Why were not these concessions or reductions made long ago?

Mr. FIELDING. They have served a very useful purpose in that we have them to give now.

Mr. MEIGHEN. Then do I understand that for some years we have been cutting off our own noses in order to have a whip to use on the United States?

Mr. FIELDING. I am glad to hear my hon. friend suggest that these concessions should have been given long ago. But I want to know what has become of adequate protection.

Mr. J. A. CURRIE. The country has known what this schedule of concessions is, and parliament is waiting now to hear them from the minister.

Mr. FIELDING. Considering how many times my hon. friend has come to his feet to interrupt me, I think I have some reason to complain that he should now find fault with delay. Besides, the whole country knows what they are, and nobody can be interested in waiting for them any longer. However, we came to the conclusion that we would grant reductions in the general tariff upon a list of 13 items. There was a time when that was considered an unlucky number, but the superstition is thrust aside now, and 13 is a lucky number. I will now read the resolution containing the concessions:

Resolved that it is expedient to amend the 'Customs Tariff, 1907,' by repealing the rates of duty in the 'General Tariff' on the following articles, and substituting reduced rates of duty as follows:—

Number of Tariff Item.		General Tariff.	
		Present rates of Duty to be repealed.	Reduced rates of Duty to be adopted.
94	Dates and figs, dried, per one hundred pounds	62½ cents.	55 cents.
99	Prunes and dried plums, unpitted; raisins and dried currants, per pound	1 cent.	⅔ cent.
109	Almonds, walnuts, Brazil nuts, pecans and shelled peanuts, n.o.p., per pound	3 cents.	2 cents.
112	Nuts of all kinds, n.o.p., per pound	3 cents.	2 cents.
180	Photographs, chromos, chromotypes, artotypes, oleographs, paintings, drawings, pictures, decalcomania transfers of all kinds, engravings or prints or proofs therefrom, and similar works of art, n.o.p.; blue prints, building plans, maps and charts, n.o.p.	25 p. c.	22½ p. c.
228	Soap powders, powdered soap, mineral soap, and soap, n.o.p.	35 p. c.	32½ p. c.
234	Perfumery, including toilet preparations, non-alcoholic, viz.:—Hair oils, tooth and other powders and washes, pomatums, pastes and all other perfumed preparations, n.o.p., used for the hair, mouth or skin	35 p. c.	32½ p. c.
287	Tableware of china, porcelain, white granite or ironstone	30 p. c.	27½ p. c.
318	Common and colourless window glass	15 p. c.	12½ p. c.
366	Watch actions and movements, and parts thereof, finished or unfinished, including winding bars and sleeves	15 p. c.	12½ p. c.
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	17½ p. c.	15 p. c.
634	Feathers and manufactures of feathers, n.o.p.; artificial feathers, fruits, grains, leaves and flowers suitable for ornamenting hats	30 p. c.	27½ p. c.
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 p. c.	17½ p. c.
	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.		

Our tariff is somewhat elaborate, and almost everything that could have been thought of is specified by name. But there is a clause at the end that anything not so specified should be rated in this way, and that is a reduction from 20 per cent to 17½ per cent.

Mr. SCHAFFNER. I do not see any reduction on agricultural implements.

Mr. FIELDING. No. Again I ask: What has become of the adequate protection that was demanded from the other side?

Mr. SCHAFFNER. The hon. gentleman promised us free trade in agricultural implements.

Mr. FIELDING. Never.

Mr. ARMSTRONG. Would the minister give us the amount of imports of those articles into Canada, and the loss of revenue that will accrue?

Mr. FIELDING. Not to-day, if you please. I have not the information at hand. I do not think the loss of duty will be a very heavy one. But even so, I think that in the present flourishing conditions of our revenue we shall be able to stand it. I have already mentioned that these reductions are to be made in the general tariff. The effect of that is that the rates on these items of the general tariff and of the intermediate tariff will be the same. There are a number of cases running through our Tariff Act in which the rates of the general and the intermediate are the same. There are some rates which are the same, not only in the general and intermediate, but also in the preferential. The cases, however, in which the general and

intermediate rates are the same will be extended by these 13 items. As I have already said, I think the House will agree with me that while these duties have served a purpose in obtaining the favourable action of the United States they are not items which come into serious conflict with any of our own industries, and so far as they go, they will be deemed reductions of duty to the consumer. Extremists on both sides will have extreme views as to this arrangement. I have no doubt that some will say that the United States have the best of the bargain and that others will say that Canada has the best of the bargain. In both cases, I believe, they will be wrong. The best kind of bargain is one where both sides meet each other in a good spirit and are satisfied that the spirit of compromise has prevailed. I believe it is a good thing for Canada and I believe it is a good thing for the United States. It is a good thing because it will prevent the bringing on of the maximum tariff, if it had to come; and even if it were not to come I say again that I believe that it was better that we should bring about this result by some concession, of no great importance to us but of some value to the United States, than that we should quarrel with them, because, though we might feel that we were right, victory might be dearly bought, if it should prevent the good relations which ought to prevail between the people of these two great countries lying side by side.

I wish to say a word or two before concluding about the British ambassador. It is only right that I should do Mr. Bryce the justice of saying that in all this transaction he gave us his hearty sympathy, co-operation and support. I sometimes read in the public press references to alleged friction between the embassy at Washington and the Canadian government, but I may say that there is not the shadow of a foundation for anything of the kind. No ambassador at Washington has ever taken more trouble than did Mr. Bryce—I think I might say no ambassador has ever taken so much trouble—to put himself in close touch with the Canadian government. He has come to Ottawa repeatedly to meet our ministers, and public men, and in this, and every other negotiation Mr. Bryce and his tariff at Washington have given us their hearty sympathy, co-operation and support. When Mr. Bryce was approached as to the manner in which this negotiation should be conducted, he suggested that the most effective means would be to put the United States government in close and direct touch with the government of Canada. He advised them accordingly, and the result is to be found in the arrangement that has been made.

I have stated that there is not a great deal of correspondence upon this subject, but there is some, and I should like, before concluding, to place the House in possession of it. Down to a very recent date negotiations were conducted almost entirely through interviews and conversations between representatives of the two governments. On the 26th March last, which was Saturday, after the fullest discussion of the whole matter with the President and Secretary of State, Mr. Knox, I addressed the following letter to Mr. Knox:

Washington, March 26, 1910.

My dear Mr. Secretary,—In the conference which, upon his invitation, I had the honour to hold with the President of the United States at Albany a few days ago, it was represented to me that the settlement of our present tariff differences and the opening of the way for negotiations, having in view a broader scheme of reciprocal trade, would be facilitated by Canada making some reductions in its present scale of duties as applied to products of the United States. While unable to waive any of the contentions which Canada has held throughout our discussion of the subject, I have appreciated the exceptional circumstances and reasons advanced by the President in support of his request. A tariff conflict between the two countries would undoubtedly be a matter of the gravest concern for both, involving widespread disturbance of trade, heavy loss to citizens of both countries and the creation of much friction at a time when the cultivation of happier relations is most desirable. Both parties to the difference should, I realize, be willing to go as far as possible to avert such a conflict.

I have observed with satisfaction that your government are not disposed to press some of their earlier contentions respecting our commercial treaties which, from our point of view, we could not admit. This being the case, I feel that our government should go as far as possible to meet the views of the President and to respond to the good spirit in which he has approached the subject. On behalf of the Canadian government I agree that we shall forthwith recommend to the parliament of Canada such amendment of the Canadian customs tariff as will reduce the duties on the list of articles agreed upon between us, such articles and the reduced rates of duty being as follows:—

I shall not read the list as I read it a moment ago. There is a note as to the meaning of the abbrevations, &c., and the concluding paragraph is as follows:

It is understood that these reductions are not to apply exclusively to the products of the United States, but that the Canadian government are free to apply them to the products of any other country.

Yours faithfully,

(Sgd.) W. S. FIELDING.

The Honourable P. C. KNOX,
Secretary of State,
Washington.

I shall now read a letter from Mr. Knox,

Secretary of State for the United States, addressed to me on the same day.

Mr. J. D. REID. Is that written in Washington?

Mr. FIELDING. Yes, it is the only place I had the pleasure of meeting Mr. Knox.

Mr. J. A. CURRIE. I wish to know if that contains all the correspondence with Mr. Knox, or is it only a partial return? Have you his letter asking for the negotiations?

Mr. FIELDING. This is the correspondence which took place in Washington on the conclusion of the negotiations.

Mr. J. A. CURRIE. It has nothing to do with the preliminary arrangements?

Mr. FIELDING. If I had waited to bring down all the preliminary correspondence, I might have had to keep my hon. friend until to-morrow, when I know he is burning with anxiety for information; so, I hastened from the train with all due speed in order that I might explode this upon him.

Mr. J. A. CURRIE. I have to apoligize to the minister. I thought he had been here a couple of days looking over this correspondence.

Mr. FIELDING. I can assure my hon. friend that I was not. This letter is dated March 26, 1910, and is as follows:

Department of State, Washington,
March 26, 1910.

My dear Mr. Minister,—The adjustment of trade relations between Canada and the United States under existing tariff legislation, conducted through you at the instance of the British ambassador, and brought to a successful conclusion so largely through your own patient and earnest efforts, cannot fail to be a cause of mutual felicitation between the thoughtful people of both countries.

I am gratified that the recent tendencies towards a more perfect understanding between our respective countries, manifested so conspicuously in the maturing adjustments of boundary, boundary waters, fisheries and other long-standing differences, will not be affected by the irritations which would have resulted from our failure to agree upon the tariff question.

The agreement encourages the hope that the future trade relations of the two countries will become even more intimate and expanded, and will be regulated in a spirit of cordial reciprocation and interdependence. The common commerce now amounts to a vast sum, and its extraordinary growth is an index of the vast industry and commercial development among both peoples. It seems clear that this trade should be fostered so that the markets of each may be open to the other on the most advantageous terms possible for the interchange of commodities, and that such interchange undoubtedly can be promoted by the two governments without impairing their national economic policies.

Mr. FIELDING.

The President is confident that the policy of broader and closer commercial relations with Canada will receive the hearty support of the large majority of the people of the United States, and he has learned with much satisfaction of the existence of a similar sentiment in the Dominion. It may be added that the conditions of the present day, as contrasted with the traditions of the past, are bringing into clearer light the truth that not only mutual trade interests but ethical and social considerations of the highest moment reinforce this common sentiment.

Let me, then, take this opportunity to express, by his direction, the desire of the President that your government will find it convenient to take up with this government, at such time and in such manner as may be mutually satisfactory, the consideration of a readjustment of our trade relations upon the broader and more liberal lines which should obtain between countries so closely related geographically and racially, as indicated by the President in his recent public utterances.

I am, my dear Mr. Minister,
Very truly yours,
(Sgd.) P. C. KNOX.

The Honourable W. S. FIELDING,
Minister of Finance of the Dominion of Canada.

The other letter which concludes the correspondence is as follows:

Washington, March 26, 1910.

My dear Mr. Secretary,—I have the honour to acknowledge receipt of your letter of this date.

The Canadian government very heartily reciprocate your expressions as to the desirability of improving the commercial relations between the United States and Canada, and will gladly avail themselves of the invitation of the Presiden to take up with your government, at such time and in such manner as may be mutually satisfactory, the consideration of a readjustment of these relations upon broad and liberal lines. The recent public utterances of the President in that direction have afforded much satisfaction to the Canadian people, who will receive with pleasure the formal confirmation of them, which is now conveyed to our government through you. I am confident that your assurances will be received also with much gratification by His Majesty's government in London, who will find in them further evidence of the desire of the government of the United States to maintain the most cordial relations with the British empire.

Allow me to express for myself as well as for my colleague, Mr. Graham, who has been associated with me in the conference at Washington, the most sincere thanks to the President and yourself for the cordiality of your welcome, and the very frank manner in which you have discussed the questions that have engaged our attention.

Yours faithfully,
(Sgd.) W. S. FIELDING.

The Honourable P. C. KNOX,
Secretary of State,
Washington.

I shall, Mr. Speaker, place upon the table for consideration in Committee of the

Whole, resolutions destined to give effect to the tariff changes which I have already proposed to the House. I venture to present this statement, Sir, in the fullest confidence that it will commend itself to the judgment of the House—I trust I may say to both sides of the House, for there is and there should be no party question in such a matter. I am inclined to think that if we desired some momentary popularity we might have pursued another course. I think there is a general and perhaps a justifiable feeling in the minds of the people of Canada, that in the years that have passed our American friends have not treated us generously or fairly with regard to these commercial questions, and consequently there is a strong disposition —at all events there has been a strong disposition—rather to resent any further communication with them. But, that is of a time that has gone; that is of a time when Ottawa went to Washington: Now we have reached a time when Washington has come to Ottawa, and that, I think Sir, is a matter which must be a source of gratification to us all. And though for the moment, by what is called the 'stand-pat' policy, by refusing to do anything, by bidding defiance to the United States, there might be a momentary hurrah, I am persuaded that as the difficulties of the maximum tariff would become apparent, as great industries in Canada would be found to suffer, as men would find their capital impaired and as other men would find themselves thrown out of employment, even though it might be temporary, even though in the end we might have been able to overcome it : I am strongly persuaded that the feeling which at a moment might be one of gratification would change to a feeling of anxiety and alarm, and that in the end many a man would turn to the government and say: Was it not possible to have averted this disaster? was it not possible by some moderate concession to have given the President of the United States an opportunity to pursue a more friendly course? And, if it could then be shown that some small and comparatively unimportant concessions could have effected a settlement, that the government could be rightfully charged to make these small concessions, that government would be condemned, and deservedly so. I present this question, Sir, with the fullest conviction that the small concessions we make are reasonable concessions for the purpose of meeting the United States—the President of the United States and his Secretary of State particularly—in response to their good will. I accept the assurance of their good will for the present and of their good intentions for the future, and I am satisfied that in making this friendly arrangement we are doing that which is best for the future of Canada.

Mr. SCHAFFNER. I wish to ask the Minister of Finance a question which I am sure will be asked of us: What concessions have the American government made to us?

Mr. FIELDING. If my hon. friend cannot find an answer to that question in my speech he would not find it in anything further I can say.

Mr. T. S. SPROULE (East Grey). The minister has introduced this subject in an exceptional way on a motion for the House to go into Committee of Ways and Means, which practically makes it a portion of the budget debate. I would like to ask the minister that this matter be left open so that it may be discussed at a later date, because owing to the absence of the leader of the oposition and the ex-Minister of Finance and others who did not expect such a discussion to-day it would be very inconvenient to proceed with the debate. Now, with regard to the correspondence, in my judgment the House is entitled to all the correspondence that has passed between the Finance Minister and the President of the United States or the government of Canada and the government of the United States.

Mr. FIELDING. I can assure my hon. friend that there is no correspondence of that nature. What I referred to was correspondence that might have taken place between the British ambassador and the Secretary of State at Washington, which perhaps might be deemed to be confidential. I can assure my hon. friend that there is no correspondence on the part of this government which is not substantially before the House.

Mr. SPROULE. I have always understood that when two nations are negotiating in this way each makes memoranda of what each proposes whether that is accepted or rejected, and that memoranda is always available for parliament afterwards. In negotiations of this kind the confidential correspondence must be very limited, if indeed there be any such. All we have is the three letters which are all dated on the 26th of March, whereas there were negotiations carried on for quite a time previous to that. My hon. friend (Mr. Schaffner) asked a very pertinent question from the minister as to what concession we had received from the United States in return, and as the minister was unable to answer I presume we have received none. If we accept the statement of the minister, the only duty cast on the president was to interpret a question of law as a judge on the bench would, and we

are bound to assume that the president would treat that question judicially without consideration of what concessions we might make. However, the Minister of Finance would lead the House and the country to believe that the judicial interpretation of that law by the president depended on our giving the United States concessions on these 13 items, which, I do not think is very complimentary to the president in his judicial capacity. I am bound to believe that it would not have influenced the president to any extent; but, as the minister has said, he interpreted that law as a judge would interpret it if he were on the bench. Consequently, all the concessions have been on our side, and we have received no concessions in return, and I believe the country will reach the same conclusion that I have, that this is practically a give-away on our part all along the line. I was in hopes that on some important lines in which it would be of advantage for us to have the American market, such as grain, dairy products and animals, they would have given us some concessions, but there is no mention whatever made of them. In regard to pulpwood, the situation is the same as it was before. If we impose an export duty on pulpwood, they are liable to increase their duty correspondingly. I have not much to say on the matter, because we are not in a position to judge as to what we do get, until we know what our importations of the various articles named have been from the United States, and from other countries, and what the reduction in the revenue is likely to be as a result of the reduced duties. There are many other important questions involved which ought to be carefully considered, and which the minister assures there will be an opportunity to consider. I wish to make one more observation. The hon. minister said that there was a time when our pilgrimages were to Washington, but that this had been reversed. It seems to me, from what has come out in the press regarding the good offices of the editor of the Toronto 'Globe' in disabusing the minds of the American government of false impressions, that he must have been sent to Washington by this government.

Mr. FIELDING. Will my hon. friend permit me to say that I did not treat that question seriously when it was presented by the hon. member for Leeds and Grenville (Mr. J. D Reid); but if my hon friend is serious, let me say that there is no shadow of foundation for the suggestion that that gentleman was sent to Washington by the government.

Mr. J. D. REID. Then he must have told an untruth.

Mr. SPROULE.

Mr. FIELDING. No, I am sure that Mr. Macdonald will not say that the government sent him.

Mr. SPROULE. He at least endeavoured to leave the impression on the country that he had accomplished something and had done some substantial good. It is unlikely that he would go down there on his own mere motion, without suggestion or advice from some source, and the most natural source would be either the Prime Minister or the Minister of Finance. The question is suggested to me, was he at Albany as one of the plenipotentiaries?

Mr. FIELDING. There were many newspaper correspondents at Albany, and Mr. Macdonald was one of them. What does my hon. friend mean by asking if he was one of the plenipotentiaries?

Mr. SPROULE. I mean did he take part in the discussions?

Mr. FIELDING. Certainly not, in any shape or form.

Mr. SPROULE. I am bound to accept the hon. minister's statement, but there is a different impression left on the country from what appears in the 'Globe' itself. I have nothing more to say at present, except that I do not think the hon. Minister of Finance was too courteous towards the hon. member for South Simcoe (Mr. Lennox) when he asked if, in the event of these negotiations being carried to a successful conclusion, and along the lines the Minister of Finance anticipated, it would be necessary to have them ratified by parliament before they became law.

Mr. FIELDING. I am placing on the table in the usual form a resolution to be moved in Committee of Ways and Means, upon which a Bill will be founded; so that this thing cannot be done without the consent of parliament. But, in accordance with the custom of our tariffs, the moment the resolutions are placed on the table they take effect, subject to the ratification of parliament later on.

Mr. SPROULE. I am speaking of an incident that occurred last week, when the hon. member for South Simcoe asked if any concessions that might be made would require to be sanctioned by parliament, and the minister gave him no advice.

Mr. FIELDING. When the question was asked by the hon. member for South Simcoe some days ago, no arrangement had been made, and it would have been very inpolitic to have made any statement.. I certainly had no intention of being discourteous to the hon. gentleman. As this matter is not to be disposed of at once, if any hon. gentleman desires to move the ad-

journment of the debate, there will be no objection.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. W. F. MACLEAN (South York). I listened with a great deal of interest to the deliverance of the hon. the Finance Minister this afternoon, and propose to discuss it just a few moments. But, in the first place, I think the most important announcement made was that of the right hon. the First Minister that the Canadian government have agreed to exchange ratifications with regard to the International Waterways Commission. That is a very important measure, with far reaching consequences, involving in the highest degree very important interests to this country, and I hope that the treaty will have the effect of settling these international difficulties, and that the result will be beneficial to both countries. Any one who has followed the discussions in the United States recently must have remarked that Senator Root, who was Secretary of State in the late government, said that tariff complications were to be avoided above all things, because they might prevent the exchange of ratifications with regard to the waterways treaty. So that what we have had in this House to-day is the announcement of the settlement of two very important questions. One is the ratification of a treaty which will have the result of settling questions that arise with regard to waterways, and the other is the announcement of the Minister of Finance, that we have succeeded in avoiding a tariff war. That is a satisfactory, but only temporary settlement of the situation. It is something like the feat of the King of France who marched up the hill with ten thousand men, and then marched them down again. However, there has been some kind of a settlement, and a better approach between the two nations has been reached, and to that extent I am glad to give the government credit for what they have done in the matter. The net result to my mind is this, that at last the great United States have been compelled to recognize that Canada is a free and independent nation on this great North American continent, and that we own, as I think, the better half of it. They have had to recognize also this fact that Canada is not only a free and independent nation, but that we are free to make our own tariff to suit ourselves, and to maintain our commercial autonomy in every sense of the term. The United States have been forced to recognize that, and it has taken a long while to bring that about. They have also been forced to recognize the right of Canada, not only to make her own tariff for the benefit of her own people, and industries, but to give a preference to the mother country, and the associated states of the empire, and they also have been compelled to recognize our right to make reciprocal treaties with other nations throughout the world. There is also the recognition of the fact that Canada has the right to impose export duties. Commercial independence, tariff independence, is largely brought about by export duties, and the resources which are contained in a protective tariff. It was a question of dispute in this country that a tariff could not be used to advance a country. We have demonstrated that it can. Sir John Macdonald, and those who were with him in the early days, and who inaugurated the National Policy, have been vindicated, and the position they took has been amply demonstrated, that a tariff, that bounties and export duties and that all the resources which are in the quiver of the protectionist, are available, and are necessary for the working out of the tariff independence of any nation. And that policy which was begun here a good many years ago with some trepidation, and for which failure was predicted, is to-day vindicated, and is to-day the greatest factor in building up this Canadian nation. Germany has had to recognize, the United States have had to recognize, that Canada is a vast country with a nationality, a fertility, and resources that must command the respect of all the nations of the world.

There is also in this situation a great lesson to the mother country. Our mother country, for some reason or other, and the public men of that country, for a great many years, have been led away by the doctrine that free trade was the best trade for England with other nations. The inefficacy of that doctrine has been proved now, and in no case has it been proved so pointedly as in this that Canada, by reason of her tariff position, can command just treatment from the United States which a country that has no tariff or no arrows in her quiver cannot command. If there be one searching thought in the minds of Englishmen to-day, it is that they have made the mistake of their life in thinking that free trade could enable them to get fair treatment from other nations. There is a great party growing up in England to-day which sees that a protective tariff, and even export duties are the only means by which they can compel other nations to treat England in a fairer way. So that the net profit to-day for the Canadian people is that the National Policy, which was started years ago, has vindicated itself, has been accepted by the people of this country, including hon. gentlemen opposite, and is capable of being used to obtain for us rights which we otherwise could not gain. But we must not be led away by

that very sweet letter of Secretary Knox which the Finance Minister read this afternoon with such gusto. The only time when the hon. gentleman becomes really effective is when that crescendo comes into his voice, and he becomes pathetic, as he certainly did this afternoon when he read that letter. But there is nothing in that letter. If you wish to gauge the friendliness of the United States you must examine its purpose, and not the letter of its diplomatists.

The tariff of the United States to-day is very unfriendly so far as we are concerned. But it is inspired—and we cannot blame the Americans for it—by the highest kind of national policy. It is designed for the protection of American industry. With that view, they have put their tariff in its most hostile attitude in regard to the products of Canada, that American tariff is a menace to Canada—hardly so designed, I would say—the object being the development of American industry, and it has succeeded most surprisingly in that respect. So, what I warn the House and the country of is this: We have had a friendly settlement of a question which might have involved a tariff war, but nothing has been done, as yet, to take out the sting that is in the American tariff for Canadian products, that seek the American market, and so our duty to-day is to continue in that national policy which is vindicated here to-day; not to begin to abandon it, or to think that the statement of Secretary Knox that he thinks highly of this country and of Canadian statesmen, can make up for any real disadvantages. The Americans still have their tariff in existence, and they intend to keep it there. And now, under our success of to-day—if it is a success, and I am willing to admit that it is—our duty is all the more the maintenance of a Canadian national policy and a Canadian tariff to meet the unfair tariff that the Americans now impose upon us. If the right to impose an export duty upon pulp has helped to bring this about, why should we not have an export duty upon pulp and other things as well?—on lumber, nickel, asbestos and other products of Canada that are not produced in any other country, and that are now sent out of Canada to the United States to make work for American workmen, profit for American capital and national prestige for the American people. The National Policy has succeeded so well that what we want now is to carry it further and use the instruments we have in our hands to bring the American nation to a sense of the fact that we are determined to go on with the building up of our nationality and the development of our resources.

And now I come to a question which is before this House in another form, but which must be settled. We can no longer afford to allow Americans to come into our country and acquire franchises, to dam our rivers, and to export the power thus produced from Canadian waters to help in the development of the industries of the United States. The moment we let them see, not only that they cannot have our pulp, but that they cannot have our power, they will come to Ottawa again and make concessions, if they have not made them to-day, and make them in the way we want them—in the tariff they impose on the products of this country. We can compel our cousins and brothers in the United States to come to us and help us to develop our resources. There are two ways for the Americans to take part in the exploitation of Canada's resources. One is to come here with their capital and build up industries in Canada; the other is to take the products of Canada and ship them across the line for the development of the United States. We can compel the Americans to come here with their brains and capital and develop Canada's resources within our own territory. And that which enables us to do this is the right we have vindicated to-day, the right to impose export duties, the right to make our own tariff, and give preferences. So, while we should always be friendly with Washington, we should be prepared to carry out the policy that would force them to recognize the position of this country, will force them to come here and develop Canada's resources. No more must this idea be held of allowing them to raid our markets or to use our resources for their own benefit. If we carry out this idea, perhaps, some day, the Americans will come to us with some kind of trade reciprocity. They may say: we want your farm products, and we will remove some of the duties that we impose upon you. If they ever do come, it will be because Canada has taken the strong position of National Policy and is prepared to maintain her commercial integrity no matter at what cost. We must be careful not to be so anxious to win sweet words from the Americans that we shall in any way jeopardize the early carrying out of what I believe is in the air—preferential trade within the empire. I believe there is more for Canada, in her present situation and in her future, in closer relations with the mother country, and with the sister states of the empire than in closer trade relations with the United States. Anything we get from the United States will be the result of—I must use the word, for it is the only one that applies—the result of retaliation. It was this that brought them to time to-day—not sweet words, but the fact that we have the instruments of retaliation in our hands. As between Canada and the mother country, and between Canada and the sister states of the empire, there is a friendly feeling; there is the knowledge

that we are bound together now by ties of defence. We must be careful now, in any negotiations we carry on, not to prejudice our chances of greater reciprocal trade within the empire. The one thing that brought the Americans to time to-day was not even the fear of retaliation from Canada or the danger to the republican party of the United States if they imposed the maximum tariff against this country, as the fear that has got into the American mind that the British empire is getting together with regard to trade, and they would like to forestall that coming together if they could.

So we need not fear, from this time, that the Americans will take the attitude they once took with regard to us of refusing to deal with us, and, when we asked them, sending us home with an admonition to mind our own business. They see that Canada has vindicated her tariff integrity, and that Canada, and the empire are coming together for the development of some kind of inter-imperial preferential trade. That being the case I say that the position of Canada is a magnificent one. It is no more surrender or give away. We have now simply got to sit tight, not to sit pat, but sit tight on the policy of the development of our own resources in every direction, to keep all Canadian work for Canadian workingmen, to keep the raw products of Canada within the boundaries of Canada for their subsequent manufacture, and if we find unfair treatment meted out to us by any nation, not to be afraid to apply the lex talionis with regard to that nation. An eye for an eye, a tooth for a tooth, is still good law in tariff situations. It has been effective in the past, it is effective to-day, and it will be effective in the future. To my mind, as I have said, the net result of the negotiations closed to-day is that Canada has vindicated her position, not only territorially, but she has vindicated her tariff integrity. She has shown her ability to take care of herself, and to join up with the empire in making the empire greater, and in drawing all portions of the empire closer together. She has established the fact that the only instrument towards achieving national greatness, towards achieving imperial greatness, towards compelling respect from all other nations, is the adoption of a tariff policy, and the use of that tariff instrument will compel the recognition of all these things by outside nations. Therefore, what the government has done to-day in bringing about the recognition that tariff war is not a good thing for either country, they are entitled to what credit they can get out of it. The Canadian people will also be ready to say to-day that the National Policy on which this country embarked some years ago with so much fear and trepidation has more than justified itself, because it has to-day become the basis of Canadian nationality, and of any greatness that Canada may attain on this continent.

Mr. J. A. CURRIE (North Simcoe). The hon. gentleman who has just taken his seat (Mr. Maclean) has called attention to the fact that to-day marks a notable point in the history of the development of this country. He says that we have to-day exemplified in a very vivid manner that this country has a perfect right to make its own treaties, that it is independent in tariff matters, and that foreign countries have to come to us if they want to make treaties with us. I had always understood that this country was a free democracy—of course under the British Crown. From away back since confederation, the doctrine has never been questioned that we have a perfect right to make our own tariffs. In regard also to making our own treaties, it was not a question of wrenching any right or prerogative whatsoever from the British Crown; it was simply a matter for us to say whether we desired the right to make our own treaties. No limit has ever been placed upon our freedom to do what we pleased in this respect, except the limit that has been placed by the constitution drafted by the people of this country themselves. For that reason I do not see that there is any credit pertaining to the government of the day in effecting this treaty. This is no fresh victory for liberty, because we have just as great liberty as any other portion of the empire. But there seems to be an under current flowing through the speeches of hon. members, particularly on the other side of the House, to the effect that there is a struggle for liberty constantly going on between this country and the mother country, a struggle to acquire some constitutional right. I fail to see it, and no one who is a student of history but must recognize the folly and childishness of anybody who makes that remark.

The Minister of Finance has placed before the House to-day some facts with reference to the treaty, or the alleged treaty, of reciprocity, or whatever you might call it, between this country and the United States. He laboured for two hours to make his meaning clear, although I am free to admit that he was sometimes interrupted. But after hearing what he had to tell the House, I thought that at the tail end of his speech he was very much like the man who for a bet rolls a pea up and down the sidewalk with a toothpick. The whole object of his speech was to show that Canada had made certain concessions to the United States on 13 items, which, after all, did not amount to anything to speak of, and I thought that if he required

two hours to speak of these 13 items, how long would he have required to speak if he had talked of every item in the tariff.

Now, let me take up the real question at issue in this matter. It was not a question at all of whether we should give any treaty rights to the Americans, or anything of that kind, as regards any item in the tariff. The issue was simply and plainly this: Have the Americans the right to dominate this country and say to us: Unless you do so and so we will be unfriendly to you. That to my mind is the whole question at issue in this matter. This country was not the country that brought about this condition. We had nothing to do with the framing of this Payne tariff, we made no promises, we were dealing peaceably with the facts as they existed, carrying on our own business, doing our own work, getting our three meals a day, living peaceably with everybody else in the world. Now, what more? The United States of America which has always stood out against this two columned tariff which they have recently adopted, finds that the markets of the world are gradually being closed against it. They found France closed against them, they found Spain closed against them, they found Italy closing its doors against them, they found that Germany had closed its doors against them, and there was no door left open to them but that of Great Britain. So they say: We will construct this two column tariff and with it we will force Germany, France and Canada to open their markets to us. Now, they passed this Payne-Aldrich tariff, as they call it, and what has happened? This country has been the only country in the world that has surrendered to that Payne tariff that has yielded to the threat of that club. Has Germany surrendered one particle, or France either? They can go on doing business at the old stand in whatever way they like. But we cannot. The way this treaty reads we have surrendered our rights to make our own tariff, we make this maximum and minimum tariff, once you have established a tariff by treaty you cannot raise that tariff. The Minister of Finance is not present but I ask the leader of the government, is it not a fact that once you make a treaty with a country and you fix a rate at a certain figure you surrender your right ever afterwards to change that rate unless you reduce it or denounce the treaty. Of course, he knows very well that is so. They have surrendered now on 13 items, and the next year the United States will come up with some more legislation and clubs and we will have to surrender on twice 13 items. The next year after they will introduce some more club legislation and we will have to surrender on 50 items, and they will continue slaughtering us in that way. We have let the opportunity go by. For once in the history of this country we find ourselves in a position to dictate terms to them, and what have we received? Have we received a single concession beyond what we have had before? We have received nothing but the promise of a president. How many times has a president of the United States promised this country reciprocity of concessions? Time and again, five or six times. Not only that, but five or six times they have sent treaties to Congress giving concessions to this country only to find the treaties kicked out.

Now this is not a matter of our making conditions with the United States. We have surrendered. We have entered the thin edge of the wedge on the question of surrendering to the United States of the right to interfere with our constitutional rights to make our own tariff, and the business people of this country and those who know anything about tariff matters will not overlook that very important point. Let us go back over this very important question. The minister knows that that treaty was aimed at two countries particularly—Germany and Canada. I was very much amused to see the discussion in the Liberal papers about this matter leading to reciprocity. Anybody who knows anything about treaties or treaty-making knows very well that the idea of a reciprocity treaty does not exist to-day as it did before 1890. The whole form of making commercial treaties has changed, and there is no countries in the world, except the United States and Great Britain, which clings to the old reciprocity treaty idea. Anybody knows that by making this double column tariff, as they have done recently, the United States have also given up the idea of a reciprocity treaty. What is the difference between a reciprocity treaty so-called and a favoured-nation clause treaty? A reciprocity treaty is a straight treaty between two countries in which one country says: We will admit certain articles free, or under certain conditions, into our country if you will admit certain articles under similar conditions into yours, and it is a bargain between the two of us. That was the kind of treaty we negotiated in 1854, but that kind of treaty-making has gone out of fashion. They talk about obtaining commercial treaties on a reciprocal basis with the United States. Why, there are fourteen of these reciprocal treaties with foreign countries hung up which never have passed Congress. The treaties that are now passed are such as we have made with France, containing a favoured-nation clause. The favoured-nation clause has been very dangerous to us, and is the thing that has brought us into this trouble. When you make a treaty with any country, which treaty contains a favoured-nation clause, every other country having a treaty with

the country with which you are dealing is entitled to similar concessions, and it obtains those concessions without giving anything in return for them. You may give great concessions to France in order to make a treaty, but you must give the benefits of that treaty to every country in the union of favoured nations, without perhaps any return. Supposing Canada made a reciprocal treaty with the United States, every privilege given to the United States must automatically go to France. That is the condition and that is the reason why the Minister of Finance has placed these items in such a way that they are open to every country in the world, so that he would not have to acknowledge to this House that he had made such a fool treaty as the French treaty is. Let us glance briefly over this matter of treaty making between Canada and the United States. It was in 1846 that the question first came up. A form of treaty was then negotiated, but it came to naught. Finally, after a great deal of trouble, a treaty was passed in 1854, and it continued from 1854 until 1865. That treaty was of great benefit to this country. Anybody who studies the statistics of that period will know that our trade with the United States was speedily placed upon an even basis. When the treaty was made, the United States sold to Canada $24,000,000 worth of goods, while Canada sold to the United States $8,000,000 worth. In 1865, when the treaty was denounced, Canada bought from the United States $27,000,000 worth of goods and sold them $33,000,000. The reason why that treaty was denounced was that the Americans claimed that this country was making a tariff which would operate against American manufacturers, and they claimed that we were violating the treaty in spirit. They saw a few factories growing up in this country. Canada had adopted a certain amount of protection, and some factories were built. When the Americans saw factories going up, even saw-mills, they got angry and said: We will denounce that treaty, or you will have to stop building factories over in Canada. Everybody knows that these charges were made in Congress and in the public press, and that these are the true reasons for the abrogation of that treaty. Since then we have made various efforts to negotiate a treaty with the United States. As the Minister of Finance said, the Hon. George Brown went to Washington and negotiated a treaty. Anybody who reads the life of George Brown knows that John Sandfield Macdonald, at the time the reciprocity treaty was denounced, asked the editor of the 'Globe' to go to Washington as a quasi representative of the Canadian government to negotiate a treaty on the quiet, exactly as his follower to-day has done. The correspondence is published in the 'Life of George Brown,' by Alexander Mackenzie, and no doubt the able editor of the 'Globe' is a careful student of the life of his predecessor and has followed the same course. In 1874, a new treaty was negotiated. It was adopted by the President of the United States and by this government, and it was a very good treaty. But as soon as it went to Congress it was thrown out because the United States said that if they could squeeze Canada against the wall, she would very soon come into the union. That process, then adopted, has been going on, the United States government has been holding a club over us, and the imposition of a surtax is only another effort to club us into submission. With all due respect to the story that the Finance Minister has put up that this is a great and notable victory for us, the truth is that we have surrendered, that we have shown the white flag. What was done? The United States sell to Canada vast quantities of goods, the principal articles being manufactures of iron and steel. The right hon. First Minister has just withdrawn the surtax against Germany. Germany is a great producer of iron and steel, and as a purchaser of steel, I can assure you that steel can be bought cheaper in Germany than in the United States. There is not a single article on the iron and steel schedule to-day but what can be purchased as cheaply outside of the United States as in the United States, if not more cheaply. The other large export from the United States to Canada is farm products. There is not a single thing in the whole category of these farm products that is not manufactured by the farmers of this country. I say manufactured, because I believe that the farmers are the biggest manufacturers in Canada, they are using more machinery and employing a greater number of men than all other manufacturers. There is not an article in that schedule but what could and should be produced in this country. One article on that schedule is coal. Coal is dutiable, and no country would derive greater benefit from a reciprocal treaty with regard to coal than the United States would. The coal fields of the United States are in the Pennsylvania valley, and they can supply coal to the province of Ontario. A few years ago the province of Ontario would require an immense amount of coal in order to turn the wheels of the factories. But, thanks to Sir James Whitney and his progressive policy which is resulting in the development of the water-powers of that province, in a few years there will not be such a thing as a coal-driven power plant in Ontario. It is said that the United States might prohibit the sending of coal into this country, but the fact is that the New England states must have Canadian coal, and they are obliged to pay for it a higher price than I as a consumer of coal would like to have to pay. The millions of

tons of coal produced in the Crowsnest pass go chiefly to the United States, as is also the case with the millions of tons produced at Nanaimo, and, therefore, reciprocity in coal would not affect us to any appreciable extent. In fact, Sir, I believe it would benefit our country. It seems strange to me, and to other users of coal all over Canada, why, when the Minister of Finance had an opportunity of doing a little trick by giving reciprocity in something, he did not give reciprocity in soft coal. We all know that the duty on coal is higher than the duty on any other single article in this country, because the cost of coal at the pit mouth in Pennsylvania never exceeds $1 a ton, and the duty is over 50 cents a ton. I do not think that the Cape Breton coal fields would lose anything by reciprocity in coal, because I am satisfied that the miners in Nova Scotia would give up the Montreal market to-morrow if they were able to enter the New England and New York markets.

Mr. D. D. McKENZIE (Cape Breton). No.

Mr. J. A. CURRIE. Yes, and the reason is that the market of eastern Canada is restricted for Nova Scotia coal, whereas the market in New England and the eastern states is almost unlimited if there was reciprocity. I am surprised that the Minister of Finance with his free trade ideas, did not give reciprocity on a few of the agricultural implement schedules. There is no doubt in the world that the great trusts in the United States were moving heaven and earth to prevent a tariff war. We buy $20 per capita to the $1 per capita the Americans buy from us. The leather trust, that has a little edge in here to-day they did not want a tariff war; the glass trust, one of the largest trusts in the United States which controls the machinery for making common glass holds the trade of the United States to-day and they did not want any tariff war with Canada. Then, there is the crockery trust which wants privileges in Canada and they did not want any higher duty placed against them in the Canadian market. To my mind one of the principal objections to a reciprocity treaty with the United States is that the people of Canada suffer enough to-day from local and small trusts without being inundated by the huge American trusts, which would be the result if we enter into reciprocity with them. Almost everything to-day in the United States is in the hands of a trust. Only recently in this parliament we had in evidence the United States water-power trust putting up a fight and we could see how long their arm is. There is a trust on everything in the United States except air, and I have no doubt that when airships become popular they will have the heavens chartered and they will be selling us the atmosphere. It is quite possible that in a few years, the member for Rainy River (Mr. Conmee)—I am sorry he is not here to-night—will be seeking a charter for a company to navigate the air for the general advantage of Canada, and when they have got that 'general advantage of Canada' clause in their charter they will make us all pay so much per cubic foot for the air we breathe. Hon. gentlemen may talk about reciprocity in products in any shape or form, but there is nothing to be gained for Canada in that. I need not remind the House that the United States has been hostile to this country in tariff matters from time immemorial. No move has ever been made in this country to get any advantage in trade or navigation that the United States did not do all they could to hamper us and to harm us. Look at what was done in the case of the St. Mary's canal. An effort was made to take the duty off ships going through the Canadian canals in order to increase our lake tonnage, but to counteract this move an Act of Congress was passed by which they shut Canadian vessels out of that canal, and they compelled Canada to go to an expense of $5,000,000 to build a special lock at Sault Ste. Marie. I grant you that the items mentioned by the Minister of Finance amount to nothing, but he has done a great injury to Canada in that he has acknowledged that the United States can get an act of Congress passed and hold a club over the head of the people of this country which they will threaten to use on us unless we bow the knee to them. I think, Sir, the people of Canada have reached the belief that the sooner we fight fire with fire and tariff with tariff the better for us. Then, the Americans will come not to Albany but to Ottawa. True, they sent a few young men up here, but the big men only came as far as Albany and the Minister of Finance went to meet them there. I want to tell you that all the circumstances surrounding this matter appear very strange to me. Who was the editor of the Toronto 'Globe' working for in the matter; who was he saving the money for? It is worth millions to the American steel trust and the other American trusts to be able to market their goods in Canada. The American steel trust sends some $60,000,000 worth of goods to Canada, and here we have a Canadian going to Albany and doing the lobbying for them. And when we all thought that possibly there might be a little fight, and having gone through a small fight with Germany from which no Canadian suffered, and Germany having thrown up the sponge, then, in the moment of victory the Minister of Finance is called in haste to an interview with the President of the United States, and when he emerges from

his interview he has bowed the knee to Baal and acknowledged that Canada is subject to the United States. I think the people of Canada will recognize that whether there is a large concession or a small concession given to the United States we have abnegated the great principle that we are competent to make tariffs to suit ourselves, and that no country in the world can hold a club over us whether it be the United States or Germany or any other nation. That is the proper principle for us to maintain, that is the principle we should have maintained, but we have lost prestige in this transaction, and the man I blame for it most of all is the Prime Minister of Canada who doubtless instigated the visit of the Finance Minister to Washington.

I hope he will frankly and truthfully tell the House whether Mr. Macdonald was accredited by him to go down and endeavour to patch up some kind of peace with Secretary Knox and the president. If he was not, why then should any attention have been paid to Mr. Macdonald? Why was there such hot haste, why were there telegrams and sudden visits to Albany by the minister and a treaty patched up? What for? Not to give anything to Canada, because we have always had the same thing and we were certainly entitled to every privilege from the United States, we were their best customers, but in order that something might be done, which, to my mind, was derogatory to the principles of fair play and Canadianism which every Canadian in this country wishes to stand up for. The Prime Minister has told us time and again that we do not want any trade with England. Everybody knows that if Great Britain should give us a preference of say a shilling a quarter on wheat it would mean millions to the farmers of this country. The Prime Minister and the Minister of Finance have said that we do not want anything of the kind, we do not want any concessions of any kind from Great Britain. Yet he will go to Albany and bow the knee to get concessions from the President of the United States.

These thoughts that I have briefly and crudely placed before the House are thoughts that occur to the ordinary individual of this country. The people of Canada have come to the conclusion that as far as any business relations with the United States are concerned, the government of the day are not to be trusted because the interests of this country will suffer in their hands and will be given away.

Mr. J. E. ARMSTRONG (East Lambton) Mr. Speaker, I am sure the Finance Minister (Mr. Fielding) must have been very much encouraged by the remarks of the hon. member for South York (Mr. W. F. Maclean). I would suggest that he should get a nice soft seat for him over on that side and take good care of him as I understand his paper is owned and controlled by the government of the country, or at least by some one very close to the government. Be that as it may, the Finance Minister this afternoon tried to make this House and the people of this country believe that as far as the present trade arrangement was concerned, he had received from the United States some valuable consideration for the people of this country That hon. gentleman knows full well that instead of receiving any consideration from the government of the United States he was only too ready and willing to get down on his knees practically speaking and beg and plead that the government of the United States would accept as small concessions as possible in order that he might get out of the position he was in. He knows that the exercise of treaty making powers by him in years gone by has not resulted greatly to his interest. If he considers the treaty arrangement with Germany he cannot but appreciate that instead of our having access to the German markets for all the products of our country we have access to that country for only a very small proportion of our products while on the other hand the German people have access to our markets for all the products of Germany on the very same footing they had in 1896. We have access to the German markets for only a very small proportion of the products of Canada. Then, let him consider the French treaty. I was one of those who opposed it as strongly as possible, condemned it in every way and voted in direct opposition to it, believing and knowing that it would be of no benefit to Canada while we were granting valuable concessions to France. Not only were we granting these concessions but we were paying some $200,000 per annum in subsidies to steamships that could only be carrying some of the products of the manufacturers of Canada, while the Finance Minister knows that French products have been coming into this country in increased proportions, while we were unable to get our products into France in return. That French treaty, as he had to admit to-day, was the cause of all the trouble with the United States. He knows that when this matter was up for discussion he gave the members on this side to understand that the French treaty would not be interfered with in any way by the people of the United States. Yet we find him in the very position that we pointed out he would be in only a few months ago. When the Finance Minister tries to make us believe that he has obtained concessions from the United States, he knows that instead of obtaining concessions, he was only too ready and willing to give them what they have to-day. Let us see for a moment the position that we are in in regard to

our trade with the United States. Take for instance the exports to that country from Canada. They amount to $92,000,000 last year while the United States sent into the Dominion of Canada $192,000,000, one hundred millions of dollars of trade against us. Let us examine the kind of products we are sending into the United States and then consider whether it would not be wise for us to say that as far as raw material is concerned, it should to a great extent be taken care of in our own country. Canada exports to the United States of raw material, the following amounts:—

Coal and charcoal	$ 4,048,000
Furs and skins, not dressed	1,393,000
Copper of all kinds	6,212,000
Gold and silver, gold-bearing quartz, dust, &c.	7,388,000
Silver ore	9,937,000
Chromic iron ore, iron ore and pig iron	154,000
Scrap iron	109,000
Lead and tin ore, asbestos, nickel, &c.	3,875,000
Settlers' effects	1,665,000
Wood, logs, lumber, piles, pulp-wood, &c.	26,377,000
Wood pulp, chemically prepared and mechanically prepared	3,217,000
Wool and manufactures thereof	3,280,000
Coin and bullion (which last year were over $16,000,000)	1,581,000
Rags	211,891
Total	$69,454,000

Practically in round figures that makes $70,000,000 of raw material out of the $92,000,000 of exports from Canada to the United States, so that the manufacturers of Canada receive small consideration at the hands of this government. while, on the other hand, the manufacturers of the United States are sending into this country the bulk of the $192,000,000 of American exports to Canada.

The minister says that Ottawa went to Washington years ago and now Washington comes to Ottawa. It does not seem to matter much whether Washington comes to Ottawa or not, Washington goes back, generally speaking, with the very best terms that can be obtained and terms very much to the advantage of the United States. We are certainly in this case giving something for nothing. Let us see whether or not the United States used a club in this instance. In the Sunday Herald of Boston, under date of March 27, I find:

Using the maximum schedule as a club, just as the framers of the provision intended it should be used, the president has been able to obtain lower rates of duty for numerous exports to several countries than could otherwise have been obtained.

The Journal of Commerce of New York says:

Every tariff since 1890, except the Wilson Act (and even that in certain particulars), has made it harder for Canada to do any business in the United States. The trade in barley was slaughtered, the wheat business was cut to the lowest level, the tariff on paper was kept at tremendous height. Whenever Canada thought she saw a chance to build up a trade in the United States, the next tariff Act regularly cut off the possibility.

I could go on reading paper after paper of the United States going to show that they are more than delighted with the outcome of the treaty arrangement with Canada. They emphatically state that it would be impossible for the President of the United States to force through such a measure as our Finance Minister seems to think he would. Canada has certainly suffered humiliation at the hands of this government, especially when we consider the fact that the government was backed up in a firm stand against any concessions by practically every newspaper in the Dominion, Liberal and Conservative, outside of perhaps the Toronto 'Globe.' On the 17th of March, the Toronto 'Globe' made this statement:

The Liberals are firm. Prepared to face tariff war if necessary.

But on March 28, it took back practically all it had said. Would the hon. minister consider this fact, that we are buying from the United States $25 worth of goods for every man, woman and child in Canada, whereas the people of the United States buy from us only one dollar of goods for every man, woman, and child, in the United States. Then look at the message which President Taft sent to Congress when he said that the results of the meeting with the Canadian statesmen were satisfactory. The opposition voted against the French treaty. Are we as Canadians going to make a present of our trade advantages to every country which asks for it? You can depend upon it that if we continue the policy that we have laid down with regard to our trade relations, that, as years go by, we will have more and more complications in our tariff arrangements with other countries, and can expect to be placed in just such a humiliating position as we are placed in to-day; and I sincerely hope that whenever the opportunity comes the Finance Minister will arrive at some definite tariff arrangement whereby we shall have one maximum and one minimum rate for all countries. I merely rose to utter my protest against the present arrangement forced upon the Finance Minister, and I trust that in future, if he should take into consideration the tariff, and treaty arrangements of other foreign countries with Canada, he will also get closer to the question of how these arrangements

will affect our position from a British standpoint.

Sir WILFRID LAURIER. The House, I am sure, will agree with me that it is regrettable that in a discussion of this importance, and even in a discussion on any question, such ridiculous statements should be made as we have just heard from my hon. friend. In his opening remarks, my hon. friend quite seriously said that the Toronto 'World,' an important newspaper, was owned and controlled by this government. My hon. friend ought to be more careful when he makes statements of that kind.

Mr. ARMSTRONG. It is generally stated.

Sir WILFRID LAURIER. Who states it?

Mr. ARMSTRONG. I do.

Sir WILFRID LAURIER. The thing is a slander, so far as the government is concerned, and a slander also so far as the hon. member for South York (Mr. Maclean) is concerned. I think it is also to be regretted too that so much importance should be attached to the fact that Mr. Macdonald, the editor of the 'Globe,' went to the United States. My hon. friend beside me (Mr. Fielding) said in the course of his remarks that, after the matter had been brought to his attention again and again and he had treated it as a joke, he finally made it clear that Mr. Macdonald went to the United States on his own account, and never had a mission from this government. Yet although this was the statement made by my hon. friend (Mr. Fielding), the hon. member for Simcoe (Mr. Currie) put the question seriously whether or not Mr. Macdonald had been sent as an emissary or as a deputed agent by this government to the United States. I have only to reply that this government sent no ambassador to Washington. We received ambassadors from Washington. Things have been reversed, as has been said by my hon. colleague (Mr. Fielding). However, I pass by these matters, which have no reference to the question we have to deal with at present.

We had to deal with a question which was a very serious one because we were in this situation that we were threatened with commercial war with our neighbours. And I have heard Sir Charles Tupper say years ago—and perhaps my hon. friends opposite may remember it—that commercial war was not far removed from actual war. It would be a calamity that between Canada and the United States, the United States would impose its maximum tariff upon Canada, and Canada treat the United States in like manner. Every body would regret it, and the action we took was with a view to avert such a calamity. I am free to say that the United States, in the tariff they adopted at their last session of Congress, took a position which Canada would never agree to. The position taken by the United States, in their Act of Congress, was to this effect, that if any two other nations made a treaty of commerce between themselves, by which the one would exchange favours with the other, the United States had the right to ask from both the most favoured nation treatment, and if that were not done, they would impose their maximum tariff on the offending nation. If, for instance, Canada made a treaty with France, or Germany, or Italy, or Belgium, or any other nation, whereby Canada would exchange favours with that nation, the United States had the right to claim similar treatment, and if we refused they would impose on us their maximum tariff. That matter came up in the early part of the session. After parliament met and the negotiations with France came up for discussion, we were asked to ascertain what would be the attitude of the United States if our parliament were to ratify the treaty we had negotiated with France. We refused to consider that question. The position we took was that, having made a treaty with France, we were bound in honour to call on parliament to ratify that treaty, and the United States had no business to interfere in our relations with any other country. We therefore refused to consider what would be the consequences of the ratification by parliament of the treaty we had negotiated with France. At the same time we had reason to believe that, although Congress had adopted the tariff they did and they did it with a great deal of hesitation—there was a large portion of public opinion in the United States which was adverse to the enforcement of the extreme measure put by Congress on its statute-books. We had reason to believe that a large portion of the American people would be sorry that there would be anything but the most friendly commercial relations with Canada, and the event has shown that our surmise was well founded, because when the time was approaching to put the maximum tariff in operation—as the first of April was approaching—there was a strong feeling of uneasiness in the United States lest the president would feel constrained to apply against Canada the maximum tariff. Indeed the feeling in the United States was such that, for the first time in the history of Canada, we had American commissioners sent by the government of Washington to negotiate with the Canadian government, and ascertain what would be our position.

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. There 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 between 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. True, the Americans might take a different position; they might say they were concerned in our relations with the other country and wanted to know what those relations were. Our answer would be: These relations, of course, are known; we have given France certain concessions in exchange for the preference she has given us; if you are prepared to give us the same treatment we are prepared to discuss the matter with you; if not, you have no questions to ask us. But it is well known that there was in the United States a different school of thought upon this question. I have stated that we had reason to believe that a very large proportion of American public opinion was averse to any estrangement in the relations between the United States and Canada. But we know very well that there is in the United States an extreme protectionist party which would push the president to apply the maximum tariff against Canada. We know also that there was a certain opinion in Congress and in the entourage of the president that, according to the terms of the law, the president would be bound to hold that the treaty we had made with France was an undue discrimination against the United States, and that, therefore, to put in force the maximum tariff. But, dominating all the situation, there was a strong proportion of public opinion—I believe a preponderating public opinion—which deprecated the possibility of the maximum tariff being put in force against Canada. We did not know exactly what would take place; we did not know whether the president would, or would not, feel himself constrained to put upon us the maximum tariff—there was the possibility. 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. We said: Very well, we will make concessions if it will make it easy for you to give Canada the benefit of the minimum tariff. We were asked: Can you make a concession on figs and dates? We thought that we could give figs and dates without making too great a sacrifice of Canadian dignity, of Canadian interests. Could we give prunes also? Well, we thought that the dignity of Canada would not be interfered with if we gave prunes. We were asked if we could concede also almonds, walnuts, Brazil nuts, pecans and shelled peanuts. Yes, we thought we could give peanuts also. And nuts of all kinds? Yes, and nuts of all kinds. Then, as to photographs, chromos, chromotypes, artotypes, oleographs, paintings, drawings, pictures, decalcomania transfers of all kinds, engravings or prints or proofs therefrom, and similar works of art not otherwise provided; blue-prints, building plans, maps and charts. We thought we could concede these also. We were asked if we could give soap powders, powdered soap and so on. Yes, we thought it was worth while to give even soap powders for the benefit of peace. Then, perfumery, including toilet preparations, non-alcoholic, namely, hair oils—we thought we could concede hair oils—tooth and other powders and washes, pomatums, and so on. Yes, we thought we could go that far; we surrendered that. Asked if we could give tableware of China, porcelain, white granite and iron stone—things not manufactured in this country—we were prepared to concede that. And window glass? It is not manufactured in Canada; we conceded that. Watch actions and movements and parts thereof? Yes, we conceded that. Then there was leather—dongola, cordovan calf, sheep, lamb, kid or goat, kangaroo, alligator and all leather dressed, waxed, glazed or further finished than tanned. Yes, we gave that, as it is a raw material for our boot and shoe makers. And last, we were asked if we could give feathers and manufacture of feathers, imitations of fruit, grains, leaves and flowers suitable for ornamenting hats. These are to ornament the hats

of Canadian ladies. We conceded that also. These are the concessions we have made; these reductions of tariff are made not to the United States alone, but to the whole world.

And now, I am asked: what do you get from these concessions? I answer: We get peace and good relations with our neighbour. And I ask hon. members on the other side: Is not peace and good commercial relations with our neighbours worth all the feathers and artificial flowers in creation? But we are told by my hon. friend from North Simcoe (Mr. J. A. Currie): The Americans were bluffing; they were not sincere. Perhaps they were bluffing, as the hon. member says. Or perhaps they were sincere. We were in this position, if we had been stiff with them, they might have chosen to be stiff with us. Canadians number seven millions, while Americans are ninety millions. We have surrendered nothing, we have made concessions which amount to nothing, so far as I can see; and for these we have the good will of that great nation. It is true, we have not reciprocity. My hon. friend from North Simcoe asked: Why did you not get reciprocity in coal, which is so much wanted in Ontario; why did you not get reciprocity in agricultural implements, which are needed in the Northwest provinces? This is true, and it is true also that we are within measurable distance of obtaining a treaty of reciprocity with our neighbours. There is a possibility of settling all these questions without sacrificing anything. We are to-day in the same position we were three months ago. We have retained our absolute power and freedom of action. We can negotiate treaties with any nations we please, and we intend to do so by commencing with the United States. We can negotiate a treaty with Germany, we can negotiate a treaty with Italy, we can negotiate a treaty with Belgium. We are absolutely free, we have made no surrender of any right, and the first thing we shall do is to endeavour to negotiate with our neighbours, and if possible to get a treaty of commerce with them. We are not insensible to the suggestion of the hon. member for South York (Mr. Maclean), who advises us to go slowly in this matter. We do not intend to go very fast. There are certain things upon which we can make no concessions, there are certain duties upon which we can not recede one iota from our present position. But there are a number of products in regard to which it would be for the mutual advantage of Canada and the United States that there should be the widest possible extension of our markets on both sides of the line. This is the position we have taken up. I am a little astonished that my hon. friend from Simcoe (Mr. Currie) should not have given us the credit to which I think we are entitled. Now, I can not take my seat without taking advantage of this occasion to say that, although I have always been proud of my hon. friend and colleague the Minister of Finance, I was never so proud of him as I am to-day. It is due to his efforts that we have averted very serious trade complications with our neighbours. It is due to his efforts, to his conciliatory and clever methods, that we have obtained at last a better treaty of commerce with our neighbours.

Mr. W. F. MACLEAN (South York). I rise to a question of privilege. During my temporary absence from the House, I understand that the hon. member for East Lambton (Mr. Armstrong), said that my speech here to-night could be understood and construed by the fact that the government of the day owned and controlled the Toronto 'World' with which I am associated, I believe he made that statement. It is an absolute untruth, there is not the slightest foundation for it. The paper is controlled absolutely by myself and my family, and one other person associated with us. I would not take any notice of that attack, or a lot of other contemptible inuendoes, if they were only made against myself personally; but when they injure a business enterprise, with a very large investment, I feel compelled to take notice of them. This is not the first time that I have been the object of contemptible attacks by that hon. gentleman in this House, and it may not be the last. Now that he attacks a commercial enterprise with which I am associated, and makes a misstatement in regard to it, I must ask him, through you, Mr. Speaker, to withdraw that statement, and to accept fully my denial.

Mr. ARMSTRONG. It is generally understood, Mr. Speaker, that the Toronto 'World' is wholly controlled by members on the government side of the House. That is the statement I made, and there is nothing strange about it.

Mr. W. F. MACLEAN. I again say that the statement is absolutely false. Not a member of the government has a single share in the Toronto 'World,' nor has anybody else except W. F. Maclean, his wife, and a Mr. Greenwood who is associated with him in the 'World'; and if the hon. member for Lambton and the other gentleman who sits behind him say anything to the contrary, they are guilty of a misstatement, and I insist that they accept my denial and withdraw their discreditable insinuations.

Mr. SPEAKER. Under the circumstances, the member for Lambton (Mr. Armstrong) should accept the statement of the member for South York (Mr. Maclean).

Mr. ARMSTRONG. I bow to the ruling of the Chair. That is all that it is necessary to say on the subject.

Mr. W. F. MACLEAN. Then I must ask the member sitting behind him who said that the statement of the member for East Lambton was true, I must ask him also to accept my denial.

Mr. SPROULE. The First Minister stated at the beginning of the session that the Waterways agreement was ratified.

Mr. W. F. MACLEAN. I hope the hon. gentleman (Mr. Sproule) who is a friend of mine will assist me.

Mr. SPROULE. I understood that the hon. member was through.

Mr. W. F. MACLEAN. Then I ask your protection, Mr. Speaker.

Mr. SPEAKER. I did not hear any other hon. gentleman except the hon. member for Lambton make the statement complained of.

Mr. W. F. MACLEAN. Then that hon. gentleman has heard what I have said, and if he is manly he will get up and acknowledge that the insinuations he cast upon me, in my hearing, were unfounded, and he will withdraw them. If he does less than that I say he is not fit to sit in this House and associate with gentlemen.

Mr. HERRON. I hope the hon. gentleman does not allude to anything I said.

Mr. W. F. MACLEAN. No, I mean the hon. member for Souris (Mr. Schaffner).

Mr. HERRON. I wish to say a few words on the resolution now before the House. Might I suggest to the Minister of Finance, now that he has capitulated to the United States government, and while these tariff arrangements are under consideration, that this would be a splendid opportunity for him to do something for the western farmers. For many years we have been promised better commercial relations in regard to farm machinery, to wheat and some other farm products. I think it would be a much greater benefit to this country to put binders on the free list than feathers or perfumery, and things like that of which we have heard to-night. I think this would have been a grand opportunity for the government to fulfil some of the pledges they made years ago to the farmers of the Northwest. We know that prior to 1896 the Prime Minister and his followers made pledges that if they were in power they would put farm implements on the free list. I do not know whether the Prime Minister himself made that statement emphatically, but many of his followers who afterwards became ministers did make it. I think this would have been a fitting opportunity to insist upon reciporcity in agricultural implements between the two countries as well as in wheat and other grains. The hon. member for Moosejaw (Mr. knowles) has had a resolution on the order paper asking for lower duties on farm implements for the benefit of the farmers. His resolution was put on the order paper at the beginninng of the session. It has worked from the bottom to the top of the order paper and from the top down to the bottom again. Now we are starting at the top and I believe it will fall through. It is evident that the hon. member has no intention of bringing this before the House this session. I think it is time we should try to do something for the farmers of the west. This resolution reads as follows:—

That, in the opinion of this House, it is desirable that the government should at an early date take into serious consideration the necessity for the reduction of the tariff duties of Canada——

Mr. SPEAKER. It is against the rule of the House to discuss anything on the order paper.

Mr. HERRON. I beg your pardon. I have said pretty nearly all I wish to say on this subject at the present time, any way and I am sorry that the Finance Minister has not been able to do something in the interests of the farmers in negotiating this treaty.

Mr. SPROULE. The right hon. the Prime Minister referred to the fact that the international waterways convention was either ratified or about to be ratified and I would ask if there is any additional correspondence upon this subject, that he would be good enough to lay it on the table at the earliest opportunity so that it may be seen by the members of the House.

Sir WILFRID LAURIER. My hon. friend (Mr. Sproule) evidently did not catch my remarks. I said that the correspondence would be brought down either on Friday or Monday.

Mr. J. D. REID. I just want to say a few words upon this matter. The fact that these negotiations have been going on amused me very much. I remember that prior to 1896 the right hon. the Prime Minister (Sir Wilfrid Laurier) and his associates stated that when they got into power they would go to Washington and get a treaty; in fact, we would have free trade between the two countries. Shortly after they came into power in 1896 the Prime Minister did go to Washington and he knows the reception he got there. He could not do anything.

Sir WILFRID LAURIER. The reception was all right.

Mr. J. D. REID. You could not get anything at all, and you came back and

stated that that was the last trip that the Prime Minister or any of his ministers would take to Washington.

Mr. EMMERSON. Chestnuts are on the free list and you are taking advantage of it, I fear.

Mr. J. D. REID. They were put on the free list by the Prime Minister on this trip. After a number of years we find the Prime Minister and the Finance Minister again going to Washington. This time the Finance Minister says that he had the invitation of the president, but if we read between the lines in the Toronto 'Globe' we find that they invite the editor of the Toronto 'Globe' to Ottawa and that he gets instructions to go down to see President Taft and have President Taft send a telegram up inviting the Minister of Finance to a conference. The editor of the 'Globe' came to Ottawa after his interview in Washington. Every one around the House could see him in the lobbies talking with members and ministers and it was the gossip of the lobbies here that an arrangement had been made for the Minister of Finance to be telegraphed for to go down to Washington and interview the president. The interview was arranged in that way and the invitation came from President Taft. When the hon. Finance Minister went to Washington the first thing that he should have done was to try and do something in the interests of the farmers. We all know that the farming industry is the most important industry and the whole asset practically of the Dominion of Canada. But instead of that, when the Finance Minister gets down to Washington, he goes over the tariff to see what can be done to benefit Canada, and the first item that he takes is that of perfumery. He is willing to allow perfumery to come in free. Then we find on the list feathers, nuts, raisins, &c. These are the things that he is looking after instead of doing something for the farmers. We were promised that when this government came into power in 1896 we would have agricultural implements coming into this country free, but there has been no reduction in the tariff with respect to these articles. The same tariff obtains now practically that was in existence in 1896. What surprises me is that the Minister of Finance did not try to negotiate a reciprocity in so far as agricultural implements are concerned. Then, there is wheat, the great output of the northwest. If we could get wheat into the United States it would be a great help to the farmers of the northwest. But the Minister of Finance did not take the farmers into consideration at all, in so far as the northwest was concerned, and did not try to get any of these articles on the free list.

Mr. MILLER. What would the hon. gentleman particularly want the Finance Minister to do for the farmers of the northwest?

Mr. J. D. REID. I would like him to get reciprocity in agricultural implements as was promised some years ago. The farmers want reciprocity in agricultural implements, and the Minister of Finance should have tried to get an agreement with the United States with respect to them. The hon. member also knows that one hon. member on the other side of the House, at least, told us that he was anxious to get free agricultural implements, but he has not had the pluck to force a division for the last session or two. He has only placed a notice on the paper, but he has never gone any further with it. I am a little inclined to believe that the agreement which was made at Albany a few days ago is not final. It has been hinted in the press that there is a quiet, verbal understanding between the Prime Minister, and the Minister of Finance that the United States should get the free use of our canals, and water courses, and that a treaty will be made.

Sir WILFRID LAURIER. Not a word of truth in it.

Mr. J. D. REID. It has been hinted by the press.

Sir WILFRID LAURIER. Possibly.

Mr. J. D. REID. I am taking what I read in the press.

Sir WILFRID LAURIER. No, there is not a word of truth in it.

Mr. J. D. REID. Another statement is that there is some kind of an arrangement with regard to the water-powers

Sir WILFRID LAURIER. No.

Mr. J. D. REID. I am glad to have that information, and to have it in 'Hansard' because I have read it in the press, and I think it is only fair to bring it before the House so that we will have it properly understood by the public that such is not the case.

Sir WILFRID LAURIER. Such is not the case.

Mr. J. D. REID. It is a good thing to know that because it would be very serious if a verbal understanding of that kind were carried out. Another thing I fear may result from this arrangement is this: The very fact of this government having to agree to reduce the tariff, or make certain tariff changes, in order to satisfy the United States government makes me feel that if we were at any future time making treaties with other countries we would practically have to consult the United States, and make

the same arrangements with them. We are talking about making treaties with Italy, and other countries. What position are we in if we undertake to make a treaty with one of those countries? If we make a treaty with some other country will not the United States government apply this maximum tariff to Canada? Would it not have been well to have had it settled once and for all? I believe that had we stood in the position we were in prior to making this arrangement we would have been able to come to an understanding and probably we would have been able to make a treaty with the United States from which we would have benefited more than we can under the present arrangement. Our position now is that we are at the mercy of the United States in coming to any further trade relations with them. I believe the concessions we have given them will hamper us in the future in making a more beneficial arrangement. I move the adjournment of the debate.

Motion agreed to, and debate adjourned.

SALE OF BABY FARM.

House in committee on 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.

On section 2,

Mr. SPROULE. I understood the minister to say that he would realize a good deal more out of the sale of this farm than would purchase the other property. Will it be regular to apply the balance to the construction of buildings?

Sir FREDERICK BORDEN. The amount received will be expended in the purchase of about three times the quantity of the land we at present own. The larger area is necessary for the accommodation of the permanent force. We will get more land for about the same money.

Mr. W. F. MACLEAN. When will the minister go on with the construction of these buildings

Sir FREDERICK BORDEN. Immediately.

Mr. W. F. MACLEAN. You have been promising it for years.

Sir FREDERICK BORDEN. The hon member for South Toronto (Mr. A. C. Macdonell) has made reference to the delay, but the government is not entirely responsible for that. Considerable delay has been due to the fact that legislation was necessary to enable the city of Toronto to acquire the Stanley barracks property, which the government owned. It was only about two years ago that the transfer actually took place, and when we got ready to construct the buildings, it was found that a more desirable site could be secured, and that while we only paid $20,000 for the Baby farm, we can sell it for about $160,000, and procure a much larger quantity of land which I think would be perhaps more favourably situated for the purpose for which we want it. It was in the public interest to wait a little longer and see what could be done. There has been really not more than a year's delay, and in the meantime the soldiers have been as comfortably housed in the old quarters as at any time in the past thirty years.

On section 3,

Mr. SCHAFFNER. What are you doing about the rifle range at Winnipeg?

Sir FREDERICK BORDEN. The modern rifle requires a very extensive range, and because of the danger at Winnipeg it became necessary to increase the quantity of land in rear of the butts. Owing to the growth of the city of Winnipeg the rifle range land had become extremely valuable, and it was found it would cost a great deal to buy the extra land required at that location. We expect to sell the present rifle range for a sufficient amount to enable us to go further away from the city and at just as convenient a place purchase all the land necessary for a rifle range, and sufficient as well for the annual camp.

Mr. SCHAFFNER. I have forwarded a complaint to the minister concerning the alleged danger of the rifle range near Greenway, and I would wish to know from him if the military men can with a high hand set up a rifle range wherever they please? If the Winnipeg range is to be removed because of the danger, the same should apply to the Greenway range.

Sir FREDERICK BORDEN. There are certain regulations laid down with the object of avoiding danger at rifle ranges, and if we know it we will not allow any one to set up rifle ranges in a dangerous position. I placed an extract from the letter sent me by the hon. gentleman (Mr. Schaffner) in the proper hands for investigation, and when the estimates come up I will give him the result of the inquiry.

On section 4,

Mr. MACDONELL. What is the intention of the government in regard to proceeding with the erection of the military buildings at Toronto?

Sir FREDERICK BORDEN. The plans are now ready, and there will be no delay. The new location—I have explained already why we cannot name it precisely—will be more convenient, and it will in every way better accommodate the militia, the per-

manent corps, and the city, than would the Baby farm. General Otter has selected it with the assistance of General Cotton, which fact ought to be sufficient guarantee to my hon. friend that the site will be well chosen. I can assure the House there will be no further delay in beginning the construction of these important buildings.

Mr. MACDONELL. Is it the intention to consult the local military men as to the location? It would seem to me to be important that their opinion should be taken.

Sir FREDERICK BORDEN. It has been done.

Mr. MACDONELL. Is it the intention to proceed this year with the erection of these barracks?

Sir FREDERICK BORDEN. Yes.

Mr. HUGHES. By 'local military men,' are we to understand the permanent force?

Sir FREDERICK BORDEN. No, I do not so understand. I think any officer who is interested in Toronto has been spoken to with regard to this.

Mr. MACDONELL. The principal military authorities at Toronto?

Sir FREDERICK BORDEN. I think so.

Mr. HUGHES. This is not a Toronto affair, it is general?

Sir FREDERICK BORDEN. Yes.

Mr. HUGHES. Is it to be a drill ground?

Sir FREDERICK BORDEN. We hope to have drill ground enough to enable us to use it to some extent for the active militia as well.

Mr. HUGHES. The minister has not let the public know where it is?

Sir FREDERICK BORDEN. It has been located, as I have already stated.

Mr. HUGHES. Is the land to be expropriated?

Sir FREDERICK BORDEN. Yes.

Bill reported, read the third time, and passed.

INSPECTION OF GLASSWARE FOR MILK TESTS.

Mr. FISHER moved the second reading of Bill (No. 184) to provide for the Testing of Glassware used in connection with milk tests. He said: I gave some explanation of this measure on its introduction. Briefly it is to provide for the testing of bottles on the machines which are used in testing milk for butter fat in creameries, and cheese factories.

Motion agreed to, Bill read the second time, and House went into committee thereon.

On section 2, testing and marking of glassware used for milk tests.

Mr. SPROULE. Would this not be done in the same way as in the case of the Weights and Measures Act? I thought they were all tested before they were sold?

Mr. FISHER. They have not been tested hitherto, the object of this Bill is to have them tested.

Mr. SPROULE. This test has been used for years, it has been regarded as reliable, and if it is now found unreliable the people's confidence in the provisions made by the minister from time to time with regard to such matters will be shaken.

Mr. FISHER. There has been a dispute as to whether these were accurate, and it is to secure an authoritative test that this Bill is introduced. I thought the work could be done under the Weights and Measures Act, but the officers of the Department of Inland Revenue say it could not.

Mr. GEO. TAYLOR. Has the Dairy Association asked for it?

Mr. FISHER. It has been asked for by dairymen.

Mr. SPROULE. You will have to appoint new officers?

Mr. FISHER. No, the same officers will make the test. These bottles are sold by very few firms.

Mr. PORTER. Will there be a charge for that inspection?

Mr. FISHER. No.

On section 4, use of glassware not marked prohibited.

Mr. SPROULE. That seems to go a little too far. It seems to imply that there can be only one reliable instrument in the testing of milk—the Babcock test. There are other ways of testing butter fat in milk, and, if accurate, they ought to be equally available.

Mr. FISHER. The section does not confine users to the Babcock test, but only provides that if any test bottles are used they must be tested and stamped like the others.

On section 6, regulations, fees for verification, penalties.

Mr. SPROULE. What about these fees?

Mr. FISHER. This is to provide a penalty for violation of the Act, and, as the Bill is in blank, I suggest that the blank be filled by the insertion of the words, 'fifty dollars.'

Mr. SPROULE. It provides also for the making of regulations and the establishing of fees for the verification of apparatus referred to in the Bill.

Mr. FISHER. I had not observed that. I would not like to deal with that without consulting my colleague, the Minister of Inland Revenue, who has charge of weights and measures. I think that the fees ought to be merely nominal, if any are imposed. Perhaps this might be allowed to pass with the understanding that it will be considered later on.

On section 7, Act to be brought into force by proclamation.

Mr. FISHER. I thought the bringing into force of this law called for some warning to those concerned. Having consulted somewhat with the officers of my department, I thought of bringing it into force on January 1 next.

Bill reported, read the third time, and passed.

RAILWAY ACT AMENDMENT—CONTROL OF CABLE RATES.

Hon. RODOLPHE LEMIEUX (Postmaster General) moved the second reading of 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: For many years the people of Canada, and especially those connected with the press, have been trying to obtain lower rates from the cable companies. On several occasions the question was taken up, especially by my predecessor, Sir William Mulock, and also by a man who has taken a great interest in this matter, working, I believe, in the best interests of the country, Sir Sandford Fleming, who, as we all know, has been the originator and pioneer of the government-owned Pacific cable. For some years, people have thought that we should have on the Atlantic the system now existing between Australia and Canada, by which the Australian colonies are put in direct communication with America. The question arose whether there should not be an arrangement between the mother country and Canada and a new cable laid across the Atlantic. I, for one, and speaking only for myself, I viewed that project with great pleasure. But when I studied the question more in detail, and on following the discussions which took place at the various conferences in London, in which I was called upon to represent Canada, I found that, so far as the mother country was concerned, the number of shareholders in these cable companies was so great that strong objection would be taken to the government partaking in the work of laying a new cable. So, another scheme was devised to get a schedule of rates from the cable companies which would satisfy the public demand and satisfy the press. It was decided to propose for the acceptance of the cable companies that urgent messages should remain at the same rate as at present, namely, one shilling per word; for semi-urgent messages, 6d. a word, and a special rate for the press at 3d. a word. The actual rate for the press is 10 cents a word between England and Canada. That would be the tentative schedule of rates between the mother country and Canada. I need not dwell on the advantages such a rate would be to both countries from the imperial point of view and from the business point of view. Some years ago a blue-book was published by order of the House dealing fully with the subject, and the House will remember the correspondence which was laid on the table when Sir Wm. Mulock was Postmaster General.

Mr. SPROULE. We entered into an agreement that, upon a certain rate, we would furnish a certain share of the cost, and the question is whether that rate is paying now or not.

Mr. LEMIEUX. My hon. friend is thinking of the Pacific end, I am speaking of the Atlantic side. On the Pacific side, it is true that we are partners with Australia, Great Britain and New Zealand in a Pacific cable, the rates for which were established by the Pacific Cable Board on which Canada is represented by Lord Strathcona. The business of the Pacific Cable Board has not been a very prosperous one, but it is due to the unfair competition of the Eastern telegraph system. However, that question is too broad to be discussed here this evening. My hon. friend is right in stating that the Pacific Cable Board has not registered a surplus every year, but the Pacific Cable Board is paying expenses, and I think is putting aside something every year towards the payment of the whole system. Now to come back to the Atlantic end of this system, I have given the result of my investigations in England, and my discussions with the Postmaster General. I may say, however, that the establishment of a Pacific cable has had for effect to make a sensible reduction in the rates in the far east, it has had the effect to reduce considerably the rates on all messages coming from Australia to Europe.

Mr. ARMSTRONG. What reduction does the minister expect would be brought about by the present measure?

Mr. LEMIEUX. I have discussed the matter with the Postmaster General in England, Mr. Buxton, and I agreed to introduce the present legislation to bring the cable companies under the authority of the

Railway Board, as the telegraph, telephone and railway companies are under the jurisdiction of that board to-day. I expect that by concurrent legislation passed in England and Canada, we can bring the cable companies to establish a schedule of rates which, for urgent messages, will be the same as they are to-day, one shilling per word; for semi-urgent messages, or deferred messages, 6d. a word, and for press rates, 3d. a word. That is the object I have in view. Now there are two Bills before the House (No. 104) and (No. 105), and they must be read together. The object of the first Bill is to bring the cable companies operating between Great Britain and Canada, and all other cable companies touching Canadian territory, under the control of the Railway Commission. Another object is to bring cable companies operating in conjunction with telegraph companies under the jurisdiction of the Railway Board as regards rates. Traffic arrangements also would be subject to the jurisdiction of the board, just as in the case of railway, telephone and telegraph companies. They will have to submit their tariffs and tolls for the approval of the board within a period of four months after this Bill becomes law. The amendment proposed in the next Bill is to control the sending of telegrams. Under the proposed system, the telegraph companies will send first the urgent messages, then the deferred messages. There are five companies doing a cable business between Great Britain, Canada and the United States, namely, the Anglo-American, the Direct United States, La Compagnie Francaise, the Western Union and the Commercial Cable. The two first are British companies, the third is French, and the last two belong to the United States. The Anglo-American has laid eight cables across the Atlantic, four of which have passed out of use, The Direct United States has one line, the French company one, the Western Union two, and the Commercial Cable five lines. All of these lines, seventeen in number, touch points in Canada. Of these thirteen are in service. The Anglo-American, the Direct United States, the French, and the Western Union companies have a pooling arrangement between them. They are allied with the Western Union, and the Great Northwestern companies for the transaction of their land business in Canada, and the United States. The Commercial Cable does not belong to the pool. Its land business is carried on by the Canadian Pacific Telegraph lines in Canada, and by the Postal Telegraph in the United States. I anticipate that we can come to a satisfactory arrangement with the cable companies by which a fair schedule of rates will be submitted to the Railway Board. On the whole I believe this legislation is highly desirable. It is the next best step, to my mind, to a government owned cable between Canada and Great Britain. As my hon. friends know the question was discussed at length at the last imperial press conference, and the sentiment was very strongly voiced that we should have cheaper telegraph and cable communications between Great Britain and Canada in order to disseminate news from the heart of the empire, and so bind more closely together the mother country and her colonies.

Motion agreed to, Bill read the second time, and House went into committee thereon.

On section 1; interpretation,

Mr. SPROULE. By what authority does the minister contend that he has the right to place these companies under the Railway Act, and make them subject to these provisions? I imagine that many of these companies have their corporate powers from other countries. Although they may be working in connection with lines that have received their corporate powers from the federal parliament, still they have received their powers from other sources. Is it contended that we can control their rates as if they had received their corporate powers from us?

Mr. LEMIEUX. The point of my hon. friend would be well taken if we attempted to control their rates outside of our own country. The Bill has for its object the control of rates between Canada and Great Britain by putting them under the jurisdiction of the Railway Board. All the companies that touch Canadian territory come within the jurisdiction of the board.

Mr. SPROULE. Suppose a company got its corporate powers from the imperial parliament, and its line extended from Australia, or England, to Canada; is it contended that we could control its rates?

Mr. LEMIEUX. My hon. friend perhaps did not follow what I said at the beginning of my remarks that this legislation must be implemented by British legislation, and that when it is so implemented we can make an arrangement both ways.

On section 4; traffic to include cable messages,

Mr. SPROULE. I understood the minister to say that there will be concurrent legislation in the imperial parliament. Has he any assurance that concurrent legislation will be enacted?

Mr. LEMIEUX. I stated a moment ago that I had various interviews last year, and in 1908 with the ex-Postmaster General Mr. Buxton. I see that he has been promoted since. Mr. Buxton entered into negotiations with me immediately before the

general elections which took place this winter in England. I think I would then have succeeded in obtaining from the British government an authoritative statement that such concurrent legislation would be brought forward, but I was told by Mr. Buxton that in view of the difficulties arising out of the political situation in England he could not give me the promise that this legislation would be brought about during the present session. He did not know how the government would fare after the elections, and he could not make that promise, but I received from him the assurance that the matter would be taken up seriously by the government.

Mr. SPROULE. Is that the reason that it is provided that the Act shall come into force by proclamation?

Mr. LEMIEUX. Yes. I find the letter which I received from Mr. Buxton on November 28, 1909, to which I referred a moment ago as regards the assurance given me by him:

November 26, 1909.

Dear Lemieux,—I am glad to have the further opportunity of discussing with Lord Strathcona and yourself the very important question of cable rates between the Dominion and this country.

Unfortunately, the present moment does not appear to be one in which the question could be very satisfactorily considered.

Since you left Canada a political crisis has arisen over here, and a general election early in the year appears to be inevitable. We were, I think, all agreed that such a moment would not be an opportune one on which to enter into negotiations with the cable companies for the reduction of rates, or to deal with the question in any other way. A government under these circumstances could not speak or act with authority and effectiveness.

I hope that later, when the political atmosphere has cleared, it will be possible to enter on a serious and practical discussion on the subject, such as that which was suggested for last spring but which was postponed.

Yours very truly,

(Sgd.) SYDNEY BUXTON.

The Hon. RODOLPHE LEMIEUX, K.C.

I discussed with Mr. Buxton the plan outlined in this Bill.

Mr. SPROULE. It looks pretty hazy now.

Bill reported, read the third time, and passed.

TELEGRAPHS ACT—AMENDMENT.

Bill (No. 105) to amend the Telegraphs Act—Mr. Lemieux—read second time and House went into committee thereon.

On section 2,

Mr. SPROULE. Does this require concurrent legislation?

Mr. LEMIEUX. No.

Mr. WRIGHT. What is the reason for postponing the coming into force of this Bill?

Mr. LEMIEUX. Its provisions would require concurrent legislation in Great Britain.

Mr. SPROULE. The minister answered me a moment ago that it did not.

Mr. LEMIEUX. We can, of course, bring the Act into force without concurrent regulations with regard to cables which are transmitted to a point in England, but it would probably not bind them as effectively.

Bill reported, read the third time, and passed.

MILITIA PENSION ACT—AMENDMENT.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to amend the Militia Pension Act, chapter 42 of the Revised Statutes, 1906, as follows:—

By inserting the following section immediately after section 6 thereof:—

6A. Time served in the Royal Northwest Mounted Police may also be included in the term of service of an officer for the purposes of this Act.

2. In such case the yearly deduction of five per cent upon average pay under this Act from any pension shall be reduced by the average yearly deduction from the officer's salary or pay as a police officer made under and for the purposes of Part II. of the Royal Northwest Mounted Police Act, or made under and for the purposes of the Civil Service Superannuation Act, or under Part I. of the Civil Service Superannuation and Retirement Act.

6B. The following times may also be included in the term of service of an officer for the purposes of this Act:

(a) Time served with the military forces in South Africa in any one or more of the years 1899, 1900, 1901 and 1902, and the time during which the officer was invalided but remained on full pay on account of wounds, injuries or disease suffered or contracted on such service;

(b) Time served by an officer of the Canadian militia with the South African Constabulary;

(c) Time served with the third (special service) battalion of the Royal Canadian regiment of infantry at Halifax; and

(d) Time served with the Yukon field force in any one or more of the years 1898, 1899 and 1900.

(e) Half the time served in the active militia other than the force, if he has served at least ten years in the force: Provided, however, that the time to be credited to an officer under this paragraph for active militia service shall in no case exceed ten years; and provided further than if an officer's pension is increased by reason of this paragraph, then, in addition to the deductions mentioned in section 8 of this Act, such pension shall be subject to an annual deduction for a number of years equal to the number of years added

to his service under the authority of this paragraph, such deduction to be equivalent to five per cent of the pay which the officer was receiving at the time of his retirement from the force.

By adding at the end of subsection 2 of section 12 of the said Act the words: and in the case of such non-commissioned officers and men as have been or may hereafter be transferred from His Majesty's regular forces to the permanent force under arrangements made between His Majesty's government and His Majesty's Canadian government as to the pensioning of such non-commissioned officers and men.'

By adding to the said section 12 the following subsection:—

3. The following times may also be included in the term of service of a militiaman for the purposes of this Act:—

(a) Time served with the military forces in South Africa in any one or more of the years 1899, 1900, 1901 and 1902;

(b) Time served with the South African Constabulary;

(c) Time served with the third (special service) battalion of the Royal Canadian regiment of infantry at Halifax;

(d) Time served with the Yukon field force in any one or more of the years 1898, 1899 and 1900; and,

(e) Time served in the employment of the government of Canada in connection with the militia stores of Canada prior to the organization of the ordnance stores corps.—Sir Frederick Borden.

Mr. SPROULE. This will require some explanation.

Sir FREDERICK BORDEN (Minister of Militia and Defence). Paragraph 6a refers to time served in the Royal Northwest Mounted Police. That force has a Pension Act similar to that of the permanent force, and this is simply to facilitate an exchange from one corps to the other, so that if an officer who has served in the Mounted Police, should join the permanent force, the time he had served in the Mounted Police, and for which he had contributed would count in the militia. 6 (b) and the following paragraphs are intended to allow officers who served in the military service in South Africa or with the Constabulary in South Africa, or with the regiment which served at Halifax, to relieve the British garrisons there, and allow them to go to South Africa, or in the 200 men who served in the Yukon field force for two years, to count the time they served in that way in estimating their pension. Last, and perhaps more important that all others, it is proposed now to allow any officer of the active militia who becomes an officer of the permanent force, and who serves in the permanent force ten years to count half the time he might have served with the active militia, not however, to exceed ten years. Thus if he had served thirty years in the active militia before becoming a permanent force officer, he could only count ten years, just as if he had served twenty years. If he had served ten years he could count five years. This is thought to be desirable to encourage a better class of officers who have served in the active militia, and received valuable experience there to come into the permanent force. It will be to the public advantage very often to take from the active militia an officer who has had the advantage of serving in that body. At present we cannot get these officers unless they are wealthy men to come into the permanent force late in life because there is no chance for them to get a pension. A man must have served twenty years in the permanent force in order to receive a pension. A man of forty-five who comes from the active militia into the permanent force cannot serve that length of time, so that officers of the active militia are not very desirous of going into the permanent force under existing conditions. We propose to improve the conditions in order to have the advantage of getting a few of the best officers of the active militia into the permanent force, and we think it will have a tendency to bring the two forces into better relations with each other. Such an officer coming into the permanent force from the active militia, we will say with a maximum of ten years credited to him, that is to say twenty years in the active militia, would pay, when the time comes that he would be entitled to a pension, his 5 per cent into the treasury for the whole of the ten years he had served in the active militia on the pay which he receives at the time he is pensioned. That is to say that 5 per cent would be deducted from his pension. That is upon the largest amount of pay of which he is in receipt, and it has been calculated that the loss to the treasury will be little if anything. In regard to this pension law as it applies to the permanent force, after ten years experience, it is just about self-sustaining, and there is not likely to be any very considerable deficiency even after this clause has been introduced into the law.

Mr. HUGHES. In subsection (b) and the following sections, the intention is that while a man must be an officer at the time he is pensioned, the time he served in any capacity in the forces enumerated shall be counted.

Sir FREDERICK BORDEN. That is the intention. If a good man, say a sergeant in the active militia went into the permanent force, and became a warrant officer or an officer, the time he had served in the active militia would count.

Mr. WALLACE. I would move that another subsection be added to be called subsection (f):

The time served by an officer of the Canadian militia as pay clerk in any military district prior to the 31st of July, 1909.

That is when the pay clerks were taken into the army pay corps.

Mr. HUGHES. Were they not on the list of active militia before that?

Mr. WALLACE. No, they were just civilians.

Sir FREDERICK BORDEN. They were not in the Civil Service either, so that their position is peculiar. I have no objection to these coming in, but I was told they would come in under the general condition clause.

Mr. WALLACE. No, they do not.

Mr. SPROULE. You would have to get the consent of the Governor General to this.

Progress reported.

Sir WILFRID LAURIER moved the adjournment of the House.

Mr. SPROULE. What business to-morrow?

Sir WILFRID LAURIER. The motion of the hon. member for Simcoe (Mr. Lennox).

Motion agreed to, and the House adjourned at 11.10 p.m.

HOUSE OF COMMONS

THURSDAY, March 31, 1910.

The SPEAKER took the Chair at Three o'clock.

NATIONAL TRANSCONTINENTAL RAILWAY—CLASSIFICATION OF MATERIAL.

Order of the day for motions being called.

Mr. H. LENNOX (South Simcoe). In accordance with the motion that was carried the other day providing for the consideration of the fourth Lumsden report, and having regard to the retirement of three members of the Lumsden Committee, I propose to address a few remarks to the House this afternoon. In retiring from that committee I had in mind the extreme gravity of the situation, and I realized that we were taking a somewhat unusual course which we would not be justified in taking unless for grave and important considerations. In fact, any one who examines at all the circumstances surrounding the construction of the National Transcontinental railway must realize, as I did, that it is the duty of every member of this House, and much more of the members of that committee of seven, to do everything in his power to elucidate this question, and to ascertain whether there has been, as we believe there has been, gross mismanagement and perhaps gross dishonesty in connection with the construction of that road. The most casual investigation into the returns and the papers that have been brought down must convince everybody that the enormously increased expenditure in the construction of that railway cannot be harmonized with any theory of honesty in the staff or ability in the management. For instance, taking up the matter of classification, let me give an illustration of how enormously rock grows:

Statement in reference to nine contracts.

Contract.	Total cost under Contract was to be	Rock alone will cost.
No. 4..	$1,898,124 21	$1,475,480
" 5..	1,646,253 65	1,847,942
" 8..	5,011,346 00	4,318,368
" 9 and 10..	5,297,257 45	7,905,504
" 11..	1,691,073 41	2,336,320
" 12..	4,559,284 50	4,324,000
" 19..	5,937,208 75	5,800,000
" 20..	1,158,258 25	1,009,116
" 21..	13,010,398 92	13,012,000

Mr. SPEAKER. I wish to remind the hon. member that there is no motion before the House at present. Does he intend to conclude with a motion in order to regularize the proceedings?

Mr. LENNOX. I did not intend myself to conclude with a motion, I intended to refer to the circumstances in connection with this road, and I am referring to these items for the purpose of showing that there is a necessity for everybody to be vigilant in investigating this matter, and that I, as a member of that committee, would have remained to investigate that question if it had been possible; and I was proceeding to point out the reasons for having the fullest investigation.

Mr. SPEAKER. The hon. gentleman will understand that his proceeding is irregular, as there is no motion to consider the report. If a motion was made for the adoption of the report, or a motion to bring the report before the Chair, his action would be in order. But at present there is nothing at all before the Chair.

Mr. LENNOX. It was not a report, as I understand, that required adoption, it did not ask that anything should be done. Of course, if necessary, I could formally move an amendment to the report. But what I proposed to discuss, and what has been standing for discussion for some time, is the question of the retirement of three members of the committee.

Mr. SPEAKER. There is no objection to discussing that, only I would like to have something before the Chair.

Mr. SPROULE. The hon. member for Simcoe (Mr. Lennox) gave notice that on motions being called for he would move that the report be concurred in.

Mr. SPEAKER. That is the reason I inquired if the hon. member was going to conclude with a motion.

Sir WILFRID LAURIER. That was my impression the other dav when we asked to have this day set aside to discuss the matters referred to in the committee. I understand a motion was to be moved for the adoption of the report, and I supposed my hon. friend had an amendment to move to that motion. But on looking at the report since, I see it is not one that requires a motion for its adoption.

Mr. LENNOX. We could only move an amendment to the report, we cannot move for the adoption of the report, because it is not a report that requires adoption. On Tuesday, when the report was brought in, I moved that it be considered on this day. The resolution was carried. I do not understand that I have to make any motion in order now to discuss it. I am proceeding to consider the report as brought in.

Sir WILFRID LAURIER. In order to place the matter before the House, some one should move that the report be taken into consideration. That would give an opportunity for discussion.

Mr. LENNOX. Well, I move that.

Sir WILFRID LAURIER. Very good.

Mr. LENNOX. I move, seconded by Mr. Barker:

That the fourth report of the special committee appointed to investigate the Lumsden charges be now taken into consideration.

I was proceeding to refer to some of the items of the classification, and I will turn now to the figures, as given in a return brought down, of what the road as a whole is going to cost us, and the situation is still more startling. I have compiled, from the return 426, what this road is likely to cost us, and I find a most startling set of figures as regards what it must inevitably cost upon the information that is available at the present time. These figures are as follows:

Thirteen Contracts.

No.	To Cost.	Costing.
1..	$ 989,895	$ 1,765,600
2..	289,090	536,663
3..	767,434	951,091
4..	1,898,134	2,475,095
5..	1,646,253	3,170,000
6..	1,385,941	2,105,524
7..	2,377,409	3,256,738
8..	5,011,346	7,320,763
9, 10..	5,297,257	12,963,243
11...	1,691,073	3,637,627
14...	3,815,279	5,154,350
21...	12,000,000	17,456,268
	$37,169,101	$60,792,962

An excess of 60 per cent.

We were told by the department that:

The above amounts stated to be required to complete are approximate and are subject to revision; no special estimates having been made for the purpose.

Complete figures for the other 8 contracts are not available, but when we find that these thirteen contracts are going to cost us this enormously increased amount, it is fair to assume, I think, that those upon which the work has not been done yet will cost us in the same proportion. Therefore, you may add to the eight contracts yet to be completed at least 60 per cent of the estimated cost at the time the contracts were made. Then we will have the following result:

Statement of Cost under Contract.

We have then 13 contracts to cost $37,169,101 costing...	$60,792,962
We will have 8 contracts to cost $26,866,054 costing..	42,985,686
Add under-estimate of 5 per cent.	5,188,932
And the 21 contractors will be paid.	$108,967,580
Add interest during 8 years construction, say 4 years at 3½ per cent simple interest	15,155,461
Total cost when road completed for schedule items only..	$124,123,041
Add 7 years interest at 3 per cent compounded..	28,532,128
Total cost of scheduled items 7 years after completion, this is all extra.	$152,655,169

We must make some allowance, more or less, for errors—honest errors if you like—and we might well make an estimate, according to the experience we have had, of probably 20 or 25 per cent. But, I will not make any estimate of that kind. I will assume that there has been an error of 5 per cent. Add 5 per cent for under estimate, which will give you $5,188,932, and it will bring the amount to be paid to these twenty-one contractors up to $108,967,580, or nearly $109,000,000. You have to add interest during the construction period which, when this matter was launched, was said to be five years. Seven years have gone now, and far more than five years will elapse before the Quebec bridge will be completed, and before a good deal of this work will be done. Count eight years, which will give an average of four years for construction, and if you add four years at 3½ per cent simple interest, you get $15,155,461, making the total cost at the time this work is completed, $124,123,041. These are not speculative figures. These are the figures taken from the returns brought down. Then, we have to bear the expense of the road for seven years at all events, and we will have to pay compound interest; there is no getting out of that because we will have to borrow the money. We will have therefore to pay for seven years 3

per cent compounded which will amount to $28,532,128, making the total cost, not of the road, but of the 103 schedule items alone of $152,655,269, at the end of the seven-year period. The Finance Minister, not relying upon his own information, but after sufficient inquiry, after investigation, after consulting experts, assured us that he had ascertained that the total cost would be $51,300,000. That was for everything. Now, for the schedule items alone we have $152,655,169, or three times the estimated cost as given by the Finance Minister. But that is not all by any means. We have to add to this all the items that are not included in the contracts let to contractors. These do not include right of way, the rails, the fastenings, the terminals, the station houses, the turntables, the sidings, the telegraph system, the workshops, the elevators, the bridges, and the Quebec bridge, built, fallen and to build in all, counting for more than $50,000,000 yet. This is a very startling condition of things, and therefore, it is one which demands, not of the members of this committee alone, but of every member of this House, yes, and of every Canadian, a thorough, a full, and searching investigation. It is something so startling, and so unusual that it demands of the Prime Minister now, that he shall say, as being more responsible than anybody else, that we shall have a thorough, full, and searching investigation. These figures represent instead of the $25,000 or $28,000 a mile that was estimated by the Finance Minister, an actual expenditure for the work let of over $84,000 a mile. That ought to be sufficient to make the Prime Minister think. With all the items added it will make the total cost of this road $200,000,000, and it will not be one dollar less according to the figures we have. It represents an actual total outlay for these 1,084 miles of road of $111,000 a mile. Yet, we have a committee of four, or of seven, whichever you like, pottering over a little matter that is practically of no importance, spending time over some isolated instances instead of meeting the situation boldly, and carefully, and inquiring how it is that this road, which was to cost $51,300,000, according to the estimate which the Finance Minister said he had taken the best means of ascertaining to be correct, is costing at least $200,000,000, from Winnipeg to Moncton alone. There are some other instructive figures I intended to read before coming to this. We have eighteen contracts upon which work has been done. We have three contracts upon which no work has yet been done. I take these eighteen contracts which have been proceeded with, and I take the figures upon which they were let, the total estimated cost, according to the estimates at the time these contracts were let, and I find that the rock alone—I mean loose, and solid rock altogether—will cost a sum equal to the Finance Minister's estimate of the total construction cost of the whole road. I hope I will have the attention of the hon. Minister of Railways (Mr. Graham). He is peculiarly responsible, almost as responsible as the Prime Minister. It is said that he does not hear me. If he does not hear me some other people will, and the country will know how these figures are. They are government figures, taken from a government return, and they cannot be gainsaid. The government give us the amount that the work was to cost, and they give us the percentage of work that has been done. I add to the whole work done the percentage yet to be and the following results appear:

		Rock to cost.	Has cost.	Will cost.
No.	1... ..	$ 71,158	$ 579,628	$ 610,135
"	2... ..	29,236	109,198	175,930
"	3... ..	244,379	317,234	373,152
"	4... ..	920,760	1,106,610	1,475,480
"	5... ..	716,738	1,385,956	1,847,942
"	6... ..	308,716	859,157	909,695
"	7... ..	1,017,305	914,300	1,956,602
"	8... ..	588,821	2,878,912	4,318,368
"	9... ..	608,607	803,853	1,071,804
"	10... ..	1,303,517	4,950,507	5,569,320
"	11... ..	471,450	1,668,702	2,336,184
"	12... ..	1,946,169	376,093	4,324,960
"	14... ..	369,071	534,826	1,900,080
"	15... ..	486,620	459,125	1,377,375
"	18... ..	422,160	491,840	1,008,272
"	19... ..	3,926,610	1,179,960	5,800,000
"	20... ..	754,975	681,837	1,609,116
"	21... ..	6,723,843	12,140,755	13,012,000
		$20,910,145		$51,036,415

So that we have this result, that the rock excavation in these contracts, which according to the engineer's estimate, based upon what was said to be reliable data at the time the contracts were let, was to cost $20,900,000, is costing, according to the returns brought down by the Minister of Railways, $51,036,000; or, in other words, the rock excavation alone is costing what the Minister of Finance said would be the cost of the whole 1,800 miles of road. Now, in this condition of things, I recognize, as everybody must recognize, that however we were hampered in the committee and outside of the committee, it is the duty of us all to investigate this matter in every possible way with the view of finding out how this enormous squandering of the people's money has been brought about. It is said by the organs of the government that the reason we left the committee was that we were disappointed that things were not coming our way, I suppose that by that

they assume—and they must be the judges of their own view of the matter—that we wanted the investigation to turn out badly. I deny that entirely. We did want a thorough and searching investigation. We had not proceeded very far with the committee work until we found good reason for believing that we could not obtain that thorough and searching investigation, and any one who has even casually watched the proceedings of that committee will not be convinced that there is very much investigation about it down to the present time. But, taking the suggestion of the Grit press with the 'Globe' at the head of the list, and the minor organs chipping in and singing the chorus, that we did not think matters were turning out bad enough, let me look at a few pages of Mr. Lumsden's evidence, and see the result. I have taken the trouble to take out of the long array of items furnished by Mr. Lumsden some thirty or more instances of which he complains. He told us in the committee that he had only given us one-quarter of what he had ascertained in the few days he was going over the road. Mr. Lumsden told us that he had got a statement of the returns which had actually been made by the government engineers to the commission, the prices according to those returns, and the amounts that were to be paid, and as he went along he noted what he thought was wrong in the classification. From those notes of the engineer I have been able to ascertain what was the overpay in each case. Now, if the government organs, the 'Globe' included, want to be fair about this matter, they ought to be reasonably well satisfied. I start with the minor cases, which run up from eighteen per cent of excess of payment to nearly 400 per cent. That strikes me as being something that ought to arrest the attention of the government, something that ought to make the government feel that there should be more than this little petty investigation that is going on at the present time; and I want to tell the Prime Minister what it means, if he has not been following the evidence. It means this, that just as in the Hodgins inquiry the whole bent of the inquiry was to find out that Hodgins, the gentleman whom the government employed, was no good, so in the bigger case to-day, the whole bent of the inquiry, the energy of the prosecuting counsel, Mr. Chrysler, the energy of that other independent gentleman, Mr. Smith, the energy of Mr. Moss,—and it is all right as far as he is concerned—the energy of all these parties is to show that the government employed for their chief engineer an absolute fool. If that is the way the government are going to finish their work, if that is the way they are going to reinstate themselves with the public, well and good; but that is the drift of the cross-examination; that is what eight or ten men, an army of engineers, and a large number of lawyers, at an expense of from $800 to $1,000 a day, are engaged in at the present time. I have numbered these statements, and I will summarize them:

No. 1—Engineer's note 'Something wrong here; rock should not be more than one-half in all the cuts, and one-half the remainder common excavation.' It was all charged as rock and loose rock. It should have cost $4,945; it cost $5,845, an over-payment of $900, or an excess at the rate of eighteen per cent.

No. 2—The engineer's note is 'Cut all sand and gravel, very few stones'. The cost was $16,499.30. The engineer said the cost should be $12,882. So there was an overpayment of $3,617.30, or an excess at the rate of twenty-eight per cent.

No. 3—The engineer's note is 'Borrow pits; all common excavation'. It was charged nevertheless as 1,743 cubic yards of loose rock, and the rest common excavation. It should have cost $1,307.10; it cost $1,829, an over-payment of $521,90, or forty per cent excess.

No. 4—The engineer's note is 'Ballast pit, no boulders in sight, all sand, and a little clay'. They found, however, 437 cubic yards of boulders, and 24,033 cubic yards of loose rock. The cost should have been $17,620.50, whereas it was $25,428.20, an over-payment of $7,807,70, or an excess of forty-four per cent.

No. 5—The engineer's note is 'All common excavation'. But there was returned 1,050 cubic yards of loose rock. The cost should have been $630; it was $945, an over-payment of $315, or fifty per cent more than it should have cost.

No. 6—The engineer says that this was 'All common excavation,' which should have cost $3,887.77, or 12,959 yards at 30 cents. It cost, however, $5,746.80, making an over-payment of $1,859.10, or 47 per cent.

No. 7—The engineer's note with regard to this is, 'Ploughed and scraped,' meaning common excavation. This cost us $29,-970, and it should have cost only $19,597.50, making an over payment of $10,372.50, or 53 per cent.

No. 8—The engineer says that this was all muskeg, common excavation. Yet I find that we paid for 7,049 cubic yards of loose rock at 60 cents, and only 4,985 common excavation at 30 cents. We paid in all $5,724.90, whereas we should only have paid $3,610.20, making an over-payment of $2,114.70, or 58 per cent.

No. 9—The engineer's note is, 'Not a boulder.' Yet we paid for loose rock, 4,679 yards at 60 cents, and common excavation, 3,046 yards at 30 cents, making a total paid

of $3,721.20, whereas we should only have paid for the whole as common excavation at 30 cents, $2,317.50, making an over-payment of $1,403.70, or 60 per cent.

Did our engineer know what he was talking about? Does the government take the position that he is a ninny? Mr. Lumsden is probably sixty years of age. Well, men who are sixty years old, and who are drawing a salary of $6,000 a year, do not throw up such a good position on a whim or without good cause. Had the engineer not been a man of principle, had he simply been bent on keeping office, he would have effaced himself and passed everything. But he took the opposite course. And remember there is no pension attached to the office. The engineer does not belong to the military branch of the service. Yet we find this man throwing up a salary of $6,000 a year, and we can come to no other conclusion than that he had to do so or act dishonestly by the country. His action was not that of a nonentity. The government and their press are, however, straining every nerve to show that this man was an imbecile, that he was no good. Well, Mr. Speaker, if he were, he would have clung to his position and done what he was told. But contrast the position which the government now takes with the one they took two years ago. At that time I called its attention, in pretty strenuous terms, to the necessity for an investigation in connection with the resignation of Major Hodgins. I then asked the government whether they were satisfied that their chief engineer, Mr. Lumsden, was a competent man. I said to them: Do you think you have the right man, or is there something wrong? It would be better to pay $10,000 a year more and get the best man to be had. The government replied that their chief engineer, Mr. Lumsden, was quite competent, that everything was all right. At that time, however, they were fighting Major Hodgins, and now they are doing their best to crush Mr. Lumsden.

No. 10—This shows an over-payment of $1,574, or 68 per cent. We should have paid only $2,304, whereas we paid $3,877.

No. 11—The engineer's note is 'No stone in sight.' However, we find the following paid for:

Rock, 90 yards at $1.70	$153 00
Loose rock, 500 yards at 60 cents	$300 00
Common excavation, 502 yards at 30 cents	$150 60
Total	$603 60

This should have been common excavation, 1,092 yards at 30 cents, $327.60, making an over-payment of $276, or 84 per cent.

No. 10a—The engineer's note is 'All looks like common excavation; may have been 50 yards loose rock south side.' Yet we paid as follows:

Loose rock, 6,600 yards at 30 cents	$3,300 00
Common excavation, 4,400 yards at 21 cents	924 00
Total	$4,224 00

Whereas we should only have paid for 50 yards of loose rock, and the balance common excavation, or a total of $2,324.50, making an over-payment of $1,899.50, or 81 per cent.

No. 12—Engineer's note is '50 yards loose rock at east end, all the rest common excavation. No solid rock.' Well, we paid $3,878, whereas we only should have paid $2,304, making an over-payment of $1,573.97, being an excess of 84 per cent. This over-payment is due to the fact that 996 yards were charged as solid rock at $1.50, and 1,047 as loose rock, at 50 cents.

No. 13—The engineer's note is 'Except possibly 5 yards loose rock, it is all common excavation.' But instead of paying only for 5 yards of loose rock we paid for 3,324 yards of loose rock at 60 cents and 405 yards of common excavation at 30 cents, or a total payment of $1,515.90, whereas we should only have paid $820.20, making an over-payment of $695.70, or 80 per cent.

Remember that these are only upon a little section of the road. Now take up No. 14.

The chief engineer's note is, 'No signs of a stone.' Yet we paid as follows:

Solid rock, 1,562 yds. at $1.50	$2,343
Loose rock, 2,562 yds. at 50 cts.	1,280
Common excavation, 10,821 yds. at 21 cts.	2,274
Total	$5,896

Whereas we should only have paid for 14,953 yards at 21 cents, $3,140, being an over-payment of $2,757, or 87 per cent.

No. 15—The engineer's note is 'All common excavation, no sign of rock or loose rock here.' Yet we paid $595 instead of $315, or $280 over-payment, or 88 per cent.

No. 16—The engineer's note is 'All common excavation.' Nevertheless, on a total of 870 yards we paid for 580 yards of loose rock at 50 cents. Or we made an over-payment of $160, being at the rate of 92 per cent.

No. 17—The engineer's note is 'All common excavation,' I find, however, that out of 2,740 we paid for 2,000 yards of loose rock and only 740 of common excavation, making an over-payment of $580, or an excess of 100 per cent.

No. 18—The engineer's note is 'Looks like 10 yards of solid rock, 300 of loose rock, and the rest common excavation.' But what did we pay for it? We paid for it:

Rock, 3,446 yds. at $1.50	$5,169 00
Loose rock, 4,329 yds. at 50 cts.	2,164 50
Common excavation, 14,143 yds. at 21 cts.	2,970 00
Total	$10,303 00

Whereas all we should have paid was $4,702, making an over-payment of $5,600, or 119 per cent.

No. 19—The engineer's note is 'All common excavation.' We paid $697 for the little work done there. Whereas, all we should have paid was $311, making an over-payment of $385, or 123 per cent.

No. 19a—The engineer's note is 'No rock; say 1,000 yards loose rock, rest common excavation.' Yet we paid for 5,790 yards of rock and 3,850 yards of loose rock. Or in all we paid $11,735, whereas, on a proper classification, we should only have paid $4,400, making an over-payment of $7,295, or 164 per cent.

The importance of these items is this, that they show the hollowness of the arguments of the Grit press that the opposition members on the committee retired because there was no evidence of wrong-doing. What better evidence could they want? It seems to me that the evidence is very strong. It seems to me strong enough to satisfy the right hon. the Prime Minister that when he narrows the inquiry into a trial of Mr. Lumsden and diverts it from the true issue, as to whether that road is costing more than it should, he is not doing justice to the country.

Take No. 20—The engineer's note is 'Dug in places to test it; good ballast; whole cut common excavation, might be a few yards of rock in boulders.' Well, we paid for 4,730 yards of solid rock at $1.70 and 9,672 yards loose rock at 60 cents, and 2,007 yards only of common excavation at 30 cents. We paid a total of $14,686, whereas, we only should have paid $5,054, making an over-payment of $9,231, or 169 per cent. We over-paid $9,231, or at the rate of 169 per cent.

No. 21—The engineer's note says 'This seems all common excavation, no rocks, but a per cent of loose rock, say 25 per cent for boulders, some of it good ballast.' It cost us $84,771.34 according to the classification. The engineer says it should have cost us $29,993.59. In that case there was an over-payment of $54,777.76, or 182 per cent.

No. 21a—Mr. Lumsden says 'Little or no rock. Considerable loose rock, say one-third; rest common excavation.' We paid for this $16,577.45; we should have paid $5,844.25, an over-payment of $10,733.20, or 183 per cent.

No. 22—The engineer says 'May have been a few yards rock, one-fifth loose rock, remainder common excavation.' We paid for that $43,270.13; we should have paid $15,129.06, an over-payment of $28,141.07, an excess of 186 per cent.

No. 23—The engineer's note reads 'May have been a few yards, say 20, of rock, one-fifth loose rock, remainder common excavation.' The quantity of solid rock returned was 20,267 yards, and of loose rock 18,409 yards. We paid $43,269.65, when, according to the judgment of the engineer, we should have paid $15,068.43, an over-payment of $28,201.22, or 187 per cent.

No. 24—The engineer's note says 'May have been 10 yards rock, and say 1,000 yards of loose rock, the rest common excavation.' We over-paid, in that case, according to the government engineer's estimate, $6,854.32, or 190 per cent.

No. 25—The engineer's note says 'Say 2 boulders, 5 yards rock, one-eighth loose rock, the remainder common excavation.' For these two boulders, we paid for 4,127 yards of solid rock and 4,210 yards of loose rock. The excess payment amounted to $6,079.25, or 194 per cent.

No. 26—'Nothing but common excavation in sight,' says the engineer's note. We paid $10,833.57 more than, according to the figures given by the engineer, we should have paid. That is, we made an excess payment of 245 per cent—three and a half times more than we should have paid.

No. 27—In this case, 'No rock in sight, say one-eighth loose rock, the remainder common excavation,' is the way the engineer's note reads. We paid $23,990.27, when we should have paid $6,826.45, an excess payment of $17,162.82, or 251 per cent.

No. 28—The engineer's note says 'No rock in sight, one-eighth loose rock, remainder common excavation.' We paid $5,853.45, when we should have paid $1,611.95, an excess of $4,241.50, or 263 per cent.

No. 29—The engineer's note 'No rock, only say 100 yards loose rock, the rest common excavation.' Yet, there were returned 2,142 yards of rock, and 1,395 of loose rock. We paid $4,198, where we should have paid $1,059.89. That is, we over-paid $3,138.73, or 296 per cent—about four times what we should have paid.

No. 30—The engineer's note says 'Except 150 feet east end, all common excavation —say 600 yards loose rock at east end.' We paid $7,711.93, when we should have paid $1,735.35, an over-payment of $5,976.58, or 344 per cent.

And yet, this pious editor of the 'Globe,' the gentleman who, when he is not praying or pretending to, is negotiating our treaties at Washington, or is slandering somebody, is very much concerned because he thinks that the members of the minority of the committee were so athirst for gore, that they were not satisfied with these disclosures. I have only touched the fringe of what Mr. Lumsden gave in the first two days of his investigation. What he has done since is easy to ascertain for anybody who will follow the investigation. He has given some answers to Mr. Chrysler which will do neither harm nor good. He has been in the hands of Mr. Smith for many days in an honest endeavour to show that the government had an engineer who was

no good. What comfort the government is going to get out of that I do not know. We want a capable, as well as honest, government; this kind of inquiry, I am afraid, will not convince the country on either one point or the other.

Now, I have referred to these items, first as to the railway question generally, and then as to a few of the disclosures during the two days of investigation when we were present in the committee, for the purpose of emphasizing the fact that I realize that our duty was to stand to our guns and fight in the interest of the country if we could fight effectually. But I take the position that, while it is my duty to stand firmly in the interest of the people in this committee of mystery, it is also my duty to select my fighting ground to some extent, and also to select my weapons. And now, I come to the point of why we left that committee—or, the more important point, as not involving the personal question, what was the attitude of that committee which necessitated the retirement of three of its members. And first, let me say that I am not afraid of fighting. Perhaps, sometimes, I am recklessly bold. I do not mean that I fight effectively, or that I am a match for the hon. gentlemen who were on that committee. But I do say that I am not driven away by any feeling of timidity. I left that committee when I came to the conclusion that, by reason of the manner in which the proceedings were being carried on, and by reason of the drift of matters, it was impossible to serve the public in that committee, and that if I remained I would become a party to a farce—a laughing farce if it were not so serious in the interest of the country, a farcial investigation which was an insult to the intelligence of the people of Canada. Now, the position was this:

On the first day of the inquiry, the commission appeared by counsel. Mr. Lumsden announced that he was merely a witness, and he did not propose to have counsel. It is said in a lying pamphlet—I want to choose my language on this occasion—it is said in a lying pamphlet that is circulated by supporters of the government from week to week, that goes out every day during the session, and that has been dealing with this investigation, goes out under frank of that sapient gentleman, that very busy gentleman, the Solicitor General (Mr. Bureau), that goes out under his frank the year round, both during the session and after the session, that the members of the minority insisted that Mr. Lumsden should have counsel. That is not true. No member of the minority committee suggested that Mr. Lumsden should have counsel. We recognized from the first that, not Mr. Lumsden, but the commission, and ultimately the government, were the people on trial. You cannot shirk that issue, the government is on trial, the commission is on trial, and Mr. Lumsden is merely a witness. It is absolutely false to say that the minority of the committee ever urged that Mr. Lumsden should have counsel. But what we did say was, that before this investigation went further, there should be counsel to represent the people. Mr. Lumsden did not appear by counsel, and I think he was a wise man. He had no axe to grind, no fight to put up, although the government is fighting to-day tooth and nail, as they fought Mr. Hodgins. The government is on trial in this matter, and we said that as the government was represented by counsel, there should be somebody to represent the people. The chairman took the ground that it was a fight—just imagine!—a fight between the subordinate engineers and Mr. Lumsden, and therefore there was no need for counsel for the people. Another gentleman, the hon. member for Laval (Mr. Wilson), did not know who the people meant, and so far as I know he does not know yet. What a pity, what a lovely position that is to be in, that we have on this investigation a gentleman who does not know who the people are. Let me read his exact language. I had been talking about the people, and he said:

> Mr. WILSON. I understand that Mr. Lumsden has made some charges or some reflections against some engineers, and I for one will be delighted if Mr. Lumsden is represented by counsel, and that the party or parties against whom he has laid complaints should also be represented. But when you talk about counsel to represent the public, that seems to me a very vague word.

There is a good deal in that. When we have gentlemen who sit in their seats until the Prime Minister rises, and if he should make a mistake and sit down, they would not get up, men who think that Providence, and Canada, and the nation are bound up in the Prime Minister—when you get men of that kind on a committee, it is not surprising that they do not know who the public is. They are fighting for the Prime Minister, they are fighting for the government, fighting for the party. But nothing for the public, nothing for the people. I was thinking of this as I walked up to-day, and I remembered that possibly I could find some lines that fit the case in a poem of Riley, which I find in a little volume called 'The Flying Islands of the Night.' I will only read a line or two:

> We follow ever on and on—
> O'er hill and hollow, brake and lawn;
> Thro gruesome vale and dread ravine—

And there have been many gruesome vales and dread ravines in the political history of our hon. friends opposite:

Thro gruesome vale and dread ravine
Where light of day is never seen.
We waver not in loyalty,—
Unfaltering we follow thee—
We follow, follow, follow thee?

Then let me give the concluding stanza:

We follow ever on and on;

It doesn't make any difference where, they are so used to it.

We follow ever on and on;
For wheresoever thou hast gone
We hasten joyous, knowing there
Is sweeter sin than otherwhere—

Does the right hon. gentleman appreciate that? There has been a lot of sweet sin, there are mountains and mountains of sweet sin in this railway, this great National Transcontinental railway that the right hon. gentleman talked about, and which I am afraid will have to be called the great National Transcontinental Graft railway.

We follow ever on and on;
For wheresoever thou hast gone
We hasten joyous, knowing there
Is sweeter sin than otherwhere—
Leave still its latest cup,

'It's latest cup.' What a splendid thing if we could only believe that we had finally got to the latest cup in this iniquitous railway deal.

Leave still its latest cup, that we
May drain it as we follow thee.
We follow, follow, follow thee!

Now, that sums up fairly well the attitude of the hon. member for Laval. As to the hon. member for Pictou (Mr. Macdonald), his methods are so well known, they are so creditable to his ability, that I won't say anything about him. But we did urge that at this initial stage of the proceedings, not that Mr. Lumsden should be represented by counsel, but that the people should be represented by counsel, seeing that the government was already represented by counsel paid by the people. Well, we could not get our way. Finally it was understood that Mr. Lumsden would give us a statement in writing, and there was to be no cross-examination. That agreement was not kept. We went on, with a counsel there for the commission, and the chief commissioner, himself an able counsel, being there; we went on, the minority against the majority; and every question that could be interjected from time to time by the hon. member for Pictou, with his excellent ability, was interjected for the purpose of getting, if possible, to the same stage at which that same hon. gentleman lauded Mr. Hodgins some two years before. Then, at the end of two days, my hon. friend proposed that we should have counsel for the committee. If, on the first or second day when we proposed that counsel should be retained, it had been acceded to, and an adjournment had until counsel was retained to represent the public, I would not have felt so strongly that it was absolutely necessary that the nomination of counsel should be left in the hands of the minority. But matters developed during these two days, and by the end of these two days I was convinced, and I think any one who will read the evidence will be convinced, that it was absolutely necessary, if this investigation was not going to develop into a greater farce than it was at the beginning, that the nomination and engagement of counsel should be left in the hands of the minority. Well, we met, and what we proposed was that inasmuch as the majority of the committee were favourable to the government the engagement of counsel should be left in the hands of the minority. I ventured to say that the political affiliations of the majority of the committee, all things being equal, —upon a balance of evidence—would lead them rather to decide in favour of the government than against the government, and I ventured to say that, all things being equal, having regard to their political affiliations, and convictions, upon a balance of evidence, the minority of the committee would be disposed to decide in favour of the Conservative view of the matter. For that I was called a cynical partisan by that great organ of public opinion, the 'Globe.' I am not ashamed of that view; I could press it farther than that. But, the majority being favourable to the government, the government having in their employ counsel paid by the country, the government having at their disposal a well organized staff, the commissioners having also Mr. Smith, an able lawyer, at their elbow, throughout the whole investigation, and also having at their beck and call when necessary the Justice Department of the government, it being well known too that the contractors, and the commission stood in together, fighting Mr. Lumsden, and it being well known that the contractors were going to have counsel, that array of counsel being on the government side, on the side of the commission, and on the side of those who were accused, I claimed then, and I claim now, and on that I am prepared to be judged by the country, that if this investigation was not to be an absolute, and abominable farce we should have the right to name the counsel on behalf of the people as we were the only members standing independently in the matter. If some one says: 'Give the decision to the minority.' I reply that we do not absolutely ask it for the minority. We said we want to name counsel in whom we have confidence, whom we can go to, talk to and consult, but we will not force anybody upon the committee, we will submit names, and if one shall be found to be objectionable for any cause we shall submit another, and

so we shall go through the list. We will not ask you to appoint a partisan of any kind. We parted on the understanding at that time, as is evidenced by the statement of the chairman, that that right would be conceded to us. But the majority on the committee, in the end, would not allow us that right. They said: We will name the counsel. They did not wait to submit a name, but they went to Mr. Wallace Nesbitt, and they engaged him, and secured his services. Every lawyer in the House, almost everybody in the country, knows what the effect upon the mind of counsel is as to who may engage him. He naturally looks for his instructions to the party that engage him, and he naturally expects to advance their interests. Tell me if you like that the majority of the committee want a fair investigation. I will grant it if you like, but I will say that there is yet their political affiliations, their political leanings, their desire is to have it appear that there is nothing wrong except Mr. Lumsden, that everything was done above board, that the classification was honest, that the country was not defrauded, and that, whilst the road will cost four times what we were led to believe it would cost us, yet it is honest, just, and fair. That is the fight of the government, that is the fight of the Minister of Railways in this House, and that will be the fight of the majority of the committee. They said: We will appoint Mr. Wallace Nesbitt, and the ostensible reason for that appointment was that he is a man of commanding notoriety, he is known throughout the whole country as a prominent counsel, and, they said, we cannot consent to appoint any body of less eminence than Mr. Wallace Nesbitt. They said: He is a Conservative. What has that to do with it if we are to have an honest investigation?

Some hon. MEMBERS. Hear, hear.

Mr. LANCASTER. When they want an honest counsel they have to get a Conservative.

Mr. LENNOX. Well, as to the Conservative branch of it I am not much concerned. I retired before Mr. Wallace Nesbitt's name was mentioned at all. I have enjoyed the friendship and acquaintance of Mr. Nesbitt for many years. He is a very clever counsel. He has a brother here, a supporter of the government. That has nothing to do with it. Mr. Wallace Nesbitt is the one Conservative in all Canada that the government have any confidence in. They appointed Mr. Wallace Nesbitt as a judge of the Supreme Court. They had never transgressed in any other instance or in any other appointment. Clear grit every time except that one time that was the only time that they ever lapsed into virtue. I am not going to say anything against Mr. Wallace Nesbitt. He had the grace, when he found that we were opposed to him, not to ratify the appointment. He had consented, and he was appointed. I am not going to ask whether he is a Conservative or not. He came from that riding that the late James Sutherland used to represent—Oxford—and we have had many peculiar types of Conservative from that riding. I made no objection to Mr. Wallace Nesbitt on personal grounds. But, there was an insuperable barrier to Mr. Wallace Nesbitt being the counsel and my hon. friend from Pictou (Mr. Macdonald), who was a member of the Hodgins Committee, and my hon. friend, the chairman of this committee, who was the chairman of the Hodgins Committee well knew it all the time. I knew it and my hon. friend from Hamilton (Mr. Barker) no doubt knew it. Who is the gentleman they wanted to have? Why, the gentleman who gave them an opinion in writing two years before against the contention of Mr. Lumsden. And the hon. member for Pictou, behind the back of the committee—I do not mean that in the sense that he acted wrongfully—but without consulting the committee, engaged Mr. Wallace Nesbitt and Mr. Wallace Nesbitt would have been the counsel as far as we know but for the fact that the minority would not consent.

Mr. MACDONALD. Will my hon. friend permit me to say that that statement is not correct? I did not engage Mr. Nesbitt at all.

Mr. LENNOX. What statement?

Mr. MACDONALD. The statement that I had engaged Mr. Wallace Nesbitt to be counsel behind the backs of the members of the committee.

Mr. LENNOX. I have the statement of the hon. member for Hamilton (Mr. Barker) who will be able to speak of it presently and I have the information that the hon. member for Pictou reported to the hon. member for Hamilton that he had consulted with Mr. Nesbitt, that Mr. Nesbitt was open for engagement and ready to come, and when we retired from the committee——

Mr. MACDONALD. Does the hon. member (Mr. Lennox) mean to assert now, in view of the statements he has made, that I engaged him?

Mr. LENNOX. I am going to tell that.

Mr. MACDONALD. If the hon. member says that I engaged him, I can only say that his statement is not correct.

Mr. LENNOX. I did not say that the hon. member for Pictou (Mr. Macdonald) engaged him before the time of which I am about to speak. When we retired, they

passed a resolution in the committee appointing Mr. Wallace Nesbitt. If that does not mean an engagement, I do not know what does. They afterwards received a letter from Mr. Nesbitt declining the position. But that was after we had refused to accept, and by our departure had protested against the position taken by the majority.

Mr. MACDONALD. You had not got out before the motion was put.

Mr. LENNOX. Shall I digress to tell the contrast in the treatment we received during the first two days of the work of that committee with the attitude of these hon. members when we determined to retire? Everything was offensive and aggressive in those two days—so much so that the chairman of the committee had to remind these hon. members that I was a member of the committee, in order to allow me to be heard at all; so much so that I had to curb my temper to avoid doing personal violence to the hon. member for Pictou (Mr. Macdonald). But, when we decided to leave, when we brought it home to them that the eyes of the country were upon them, and that they would not have us as buffers between them and the people, but must fight it out alone, then these hon. gentlemen became humble, and peaceful, and engaging—

Mr. EMMERSON. Mild and loving.

Mr. LENNOX. Yes, mild and loving, and besought us to stay there with them. And, with my usual courtesy and politeness, in deference to the suggestion of the chairman, I remained for a little while. But I made it perfectly clear, as the evidence will show, that I would not be a party to the proceedings that were then being carried on.

Well, enough said. Now, the majority of the committee were very solicitous that we should have a prominent counsel, a man known to all Canada. And they were very much afraid that no Conservative lawyer would be known to all Canada. There are one or two very clever lawyers upon the Liberal side who are notoriously known to all Canada at the present time. But, with that exception, I think we have as prominent lawyers in the ranks of the Conservative party as there are to be found in the Dominion.

Mr. GRAHAM. If we do say it ourselves.

Mr. LENNOX. Yes, and we are prepared to say it ourselves. We have in the city of Toronto some of the leaders of the bar in this Dominion. Contrast the position of to-day with the position of the government party when they said that nobody but Mr. Wallace Nesbitt would do. Whom did they select? I do not want to say anything against Mr. Chrysler, a good honest man, as lawyers go—and all are honest—but when you talk about a man of Dominion reputation, no doubt those who know Mr. Chrysler's name will know whether he has a Dominion reputation or not. He has done some good service for the government, and has been paid for it. For as long as I have known him, Mr. Chrysler has been doing good service for the corporations against the people. But that is what he is paid for, and I am not prepared to say that he did more than his professional duties demanded of him. I have respect for Mr. Chrysler in his station as a lawyer. But when you talk of Dominion reputation, I stop talking because I do not know anything about him, in that way—nor do the people. Within a small radius roundabout Ottawa, Mr. Chrysler is known as a capable lawyer. I have no doubt that he will be zealous. But the question is: For whom? I think the right hon. Prime Minister (Sir Wilfrid Laurier) could tell, if he wished to. Here are some items from the Auditor General's Report, showing payments to the firm of Chrysler, Bethune and Company, of Ottawa, in the years mentioned:

1896-1897	$ 987 19
1897-1898	2,747 22
1898-1899	151 73
1899-1900	2,287 33
1900-1901	164 12
1901-1902	2,998 90
1902-1903	311 72
1903-1904	7,822 13
1904-1905	1,611 65
1905-1906	3,316 59
1906-1907	577 91
1908-1909	3,940 74
Total	$26,917 23

This is as far as the Auditor General's Report goes. We do not know what the total may be by this time. Of all the counsel in Canada, a country which, I am proud to say, is blessed with many eminent counsel, this was the independent, prominent, impartial counsel in the interests of the people who could be depended upon to stake his legal position, his pecuniary interest, his personal advancement against the government if necessary, and to fight the government and fight the commission. No doubt Mr. Chrysler will be zealous for somebody; and ordinarily a counsel is zealous for the parties who employ him. My hon. friend from West Elgin (Mr. Crothers) has been criticised for outspoken remarks as to what the duty of a counsel is. I am not a prominent counsel—do not pretend to be; but I am a lawyer like some of the others here; and I have always thought that my first, my sworn duty, was to stand by my client and try to advance his interest. I have never learned that it was my duty to pander to the other side

or to try to elicit evidence for the other side. We have Mr. Smith. Mr. Smith pledged us, the first day, that he had been instructed by the commission to elicit everything and to do all he could in the interest of the public. Mr. Smith, when he started the cross-examination the other day, said: 'I am not going to cross-examine; I am only going to ask a few questions on behalf of the commission.' And for 400 or 500 pages in four or five volumes of the records of the commission he has been asking questions; and I will challenge anybody, members of the commission or members of the House, to find on any one page of that record anything except a constant and persistent attempt by Mr. Smith, despite his virtuous professions and his uplifted hands, to fight for the commission and to down Mr. Lumsden.

Only one more word to show the attitude of that committee, which I venture to say, in all the somewhat spotted record of the present administration, will stand before Canada, by virtue of its position, I will not say by virtue of its intention, as having conducted the most outrageous, nonsensical, ridiculous and thoroughly dishonest inquiry ever held in this country. One more instance only is perhaps required to show the position of those gentlemen. When Mr. Chrysler was appointed, what do you think were the instructions given to Mr. Lumsden? It was represented again to Mr. Lumsden that he could have counsel, and it was suggested to him for the first time that the government would pay for his counsel if he had any. Mr. Lumsden said again that he did not want counsel.

Mr. MACDONALD. My hon. friend should also tell the House that Mr. Lumsden stated that he perfectly understood that the committee were prepared to pay for counsel at any time.

Mr. LENNOX. My hon. friend is perfectly correct. My hon. friend, as I recollect, stated to Mr. Lumsden: 'You understood all the time that we were prepared to pay for counsel?' And Mr. Lumsden echoed my hon. friend's words. Mr. Lumsden has the same unfortunate faculty as many other people of not seeing through my hon. friend as well as he might, and he echoed his remark, but I can only judge by what was said and done, and I say that throughout the investigation there never was any suggestion by any member of the committee, or by any one, that Mr. Lumsden could have counsel paid for. I am not saying whether it was in the minds of the committee or not. But that is not a matter of importance. My hon. friend from Pictou, the active member of the committee, the guiding hand, said: 'Now, Mr. Lumsden, you will confer with Mr. Chrysler,' and Mr. Lumsden gave a reluctant assent. That was theoretically correct, because theoretically Mr. Chrysler represents the public in this investigation, and it was right that the man who would have the prosecution of the case should confer with the prosecuting counsel. But what do you think my hon. friend from Pictou did in addition to that, and he is no chicken? My hon. friend cannot plead innocence or inadvertence. He is an able and shrewd lawyer. He said to Mr. Lumsden: 'Mr. Lumsden, you will also confer with Mr. Smith,' the counsel for the defence. Mr. Speaker, you too have the honour of belonging to this great profession of the law.

Some hon. MEMBERS. Oh, no. Apologize.

Mr. LENNOX. I do not apologize. An undeserved compliment, Mr. Speaker. You have shown such a judicial mind that I judged you to be a lawyer. But from your experience, it will occur to you as one of the most outrageous things that could possibly be suggested that the counsel for the defence should confer with the witnesses for the prosecution. It is only a little thing, but it shows exactly how this matter is going. We have had, day after day, the harmless Mr. Chrysler going over a lot of stuff and bringing in letters which were intended to damage Mr. Lumsden; though my opinion is that in these matters the opinion of counsel is of no weight whatever. Mr. Chrysler brings in these letters and a lot of evidence and sits down. Mr. Smith then goes on from day to day. When Mr. Smith omits anything, Mr. Chrysler suggests the omission, and cures it; if he does not, my hon. friend from Pictou comes to the rescue; and so it goes on from day to day, and from week to week, at an expense of, I suppose, $1,000 a day to the country. But that is a small matter compared to the enormous expenditure involved. For my part, when I retired, I thought I was serving the public best by doing so in protest against the attitude assumed by the government with their long array of counsel, fortified by the Minister of Justice. In reference to Mr. Wallace Nesbitt, let me say that when his opinion came to Ottawa two years ago, from whom do you think it came? It came from the firm of Aylesworth and Company, the firm headed by the Minister of Justice; and to-day a member of that same firm is fighting for the position taken by the commission, which is fighting for the postion taken by the government; and they are all—Chrysler, Smith, Atkinson in the office, the lawyer at the head of the committee, the government counsel, the able, sapient and potent Solicitor General, overworked as he is, in sending out this false literature to the country—all fighting against the people and the people's interest. So I thought I would select my field of battle outside of that committee,

where I could do better service for the public, and not remain there as a buffer between the people and those who deserve the people's condemnation. I retired, and I am willing to abide by the issue. May I, in closing, appeal to the Prime Minister? It is said that we are in contempt. We are not willingly in contempt. We can, of course, be put in the tower for our wrongdoing; I recognize that, and for the interest of the country I am willing to sacrifice myself even to that extent. But I beseech the Prime Minister, as my parting word, to send me to the solidly-built tower of this building and not to the Laurier tower, so liable at any time to fall again.

Mr. A. H. CLARKE (South Essex). Mr. Speaker, if no other good comes from the investigation of the Lumsden charges, I think the House can congratulate itself that it has served the purpose of giving us the most interesting bit of comedy for the last hour and a half that this House has listened to in many a day. There is only one thing lacking, and that is that my hon. friend from Simcoe (Mr. Lennox) should have put it into song, and allowed the House to hear his musical voice in those beautiful lines: 'I will follow, follow, follow all the way'. There is a hymn to those words, I think he ought to practice that hymn and let us have the benefit of it.

It seems to me that the dicsussion to-day is for the purpose of seeking to justify, or excuse the conduct of the three members of the committee who refused to carry out the mandate of this House. This House appointed a committee to investigate certain charges made by Mr. Lumsden not made by any member of the opposition, but by Mr. Lumsden alone, an appointee of the government, in respect of certain other appointees lower in order than he—and the three hon. gentlemen to whom I refer were appointed to act on that committee. It seems to me that the arguments of my hon. friend are such as to condemn him, and the other two who have shirked the duty this House imposed upon them. It seems to me every argument he has used has been the strongest condemnation of the conduct of himself and his friends. What are those arguments? In the first place, he has taken up matters which he knew full well before he agreed to act on the committee. It has been frequently stated in this House that there is a great difference between the estimated cost of the railway and its actual cost. No one disputes that, and that was a matter for discussion on the 27th January. My hon. friend made then practically the same speech as he has just given us. It has been made many times; and if his object in re-hashing to-day all that was said so frequently before, was to justify him in having refused to act on the committee, my answer is that that was an objection which he should have taken at that time. He should have taken that objection before he agreed to act on the committee. However he did not, and with all the knowledge he now has, he entered on his duties as member of that committee. Surely it is idle, therefore for him to say now, that he objected to serve on that committee because matters were not referred to it other than those which this House decided to refer to it by its resolution of January last.

Then my hon. friend went on to discuss matters which one would have thought a member of the committee would have refrained from discussing. He went on to discuss matters which are now before the committee of investigation. Being a lawyer myself, I was amazed that my hon. friend, who is also a lawyer, should come here and base an argument on partial statements made before that committee when the men charged have not had the opportunity of being heard. I was astonished that a member of that committee, himself a lawyer, should have endeavoured to prejudge matters concerning which evidence has not yet been given. That is something which passes my comprehension. If those matters are so serious as he would have us believe, all the more was it his duty to carry out the mandate which the House gave him, and attend the meetings of that committee, and see that the fullest investigation took place.

There is only one reason, I understood my hon. friend to say, which actuated himself, and his friends in departing from that committee, and that is the reason embodied in a resolution which the hon. member for Hamilton (Mr. Barker) proposed in the committee on the 4th of March last. On the 23rd of February, by the unanimous voice of the committee it was decided to employ counsel to represent the public interest. Mr. Lumsden had declared that he did not desire that counsel should act for him. He made it plain that he would take that position. It was then suggested, and agreed to without dissent, that the committee should ask leave of the House to appoint a counsel who would represent the public. Strange to say, although my hon. friend and his associates agreed to that, within two hours after, without any notice to the other members of the committee, the hon. member for Simcoe (Mr. Lennox) got up and moved an amendment asking that the minority have leave to nominate the counsel. That took place on the 23rd February. That amendment was moved to the report made on that day. My hon. friend moved to amend the motion by adding thereto the following words:

It is further ordered that the members of the opposition on the said committee shall have the right to select the counsel so to be appointed, which counsel shall be instructed to protect the interests of the people of Canada in the said investigation.

The decision of the House was that that was not a sound position for the minority on the committee to take. By a large majority the House decided that it was not the right of the minority on the committee to chose counsel. If the refusal to allow this choice to the minority was a reason for the three members to retire from the committee, surely that was the time for them to do so. But they did not at the time consider that that was a reason why they should withdraw. On the contrary, they went afterwards to several meetings of the committee. On the 4th of March the matter was brought to a crisis by a resolution moved in the committee by the hon. member for Hamilton (Mr. Barker):

That it is the right and duty of the members of the committee who represent the opposition to nominate the counsel who shall prosecute the investigation in the public interests.

The majority of the committee negatived that proposition as the House had previously negatived it. You will notice the words: 'It is the right of the members of the minority to chose the counsel.' Well, the House of Commons had decided that it was not their right. These hon. gentlemen had attended the committee in obedience to that ruling. They attended several meetings of that committee, and then, because the committee would not agree to this motion, they made that a pretext for filing out of the room one after the other. Well, if they think that they were justified by this in shirking the duties imposed on them by the House, I do not think the country will endorse that view. There was no question then as to who would be appointed counsel. My hon. friends did not suggest any names. They did not say: Give us this or that man. There was not a single suggestion, not a single nomination of any individual, but they said that they should have the right to name the counsel. In other words, four members of the committee were to annihilate themselves and allow three members to do what seven were appointed to perform. They made no suggestion, they did not suggest that any particular counsel should be named, but they said: Unless you accede to our proposition we shall have nothing to do with you, no matter whom you may appoint. Objection has been made since to the counsel appointed, but that was not the reason why these gentlemen retired. Mr. Nesbitt was nominated. It was said that he had given an opinion as to the specifications. Possibly that was known to some members of the committee, but not to all. Surely if it was known to the hon. member for Simcoe (Mr. Lennox) it was his duty then, as a member of the committee, to have pointed out that Mr. Nesbitt was not a proper man to be nominated. But now they say because two of the other members of the committee knew this about Mr. Nesbitt that absolved them from their duty of saying anything about it. Much has been said about Mr. Chrysler's appointment.

I may say that, if my hon. friends had done their duty, they would have raised their objections to Mr. Chrysler if they thought there were any. If there has been any error in appointing Mr. Chrysler, it is the fault of these hon. members of the committee that they were not there to point it out. Certain it is that no objection was made to him. I made the nomination myself. I thought Mr. Chrysler was a competent man, and a fair man, a reliable man, and one fully equipped for the position; and there has been nothing in the conduct of the inquiry since then to change my opinion in the slightest degree. I do not think that there is any man whom the committee would have chosen who would be satisfactory to the members who retired. I have not heard them suggest any person who would be satisfactory. It is all a question whether or not three shall usurp the position of seven, and, failing that, object to anything any person whom the majority may choose. It seems to me that the position is one which is absolutely indefensible. And my hon. friend (Mr. Lennox) has gone out of his way to attack Mr. Moss, who represents some of the engineers, or, rather, to indirectly attack the Minister of Justice (Mr. Aylesworth), because Mr. Moss is a member of his firm. I think the hon. gentleman knows perfectly well—I think he must have heard the Minister of Justice in this House more than once state, and perhaps in answer to the hon. member himself—that he had no interest whatever in that firm, that his name was allowed to remain there (as, I believe, it was stated the name of the leader of the opposition (Mr. R. L. Borden) was allowed to remain with his former firm) he having no interest in the firm.

Mr. R. L. BORDEN. It is a matter of no importance, but I may say that is not true of myself.

Mr. A. H. CLARKE. I am glad the hon. member (Mr. R. L. Borden) makes the correction, but I think he will agree that it was stated in the House at least once. I remember quite well that, on one occasion, the Minister of Justice referred to the hon. member as being in a similar position to himself. The hon. gentleman says that it is not correct in his case.

Mr. R. L. BORDEN. The statement was made, but was corrected.

Mr. A. H. CLARKE. But the statement concerning himself was made by the Minister of Justice, and I think the hon. member (Mr. Lennox) knows it quite well.

Mr. LENNOX. No, I did not, but it does not alter the case much.

Mr. A. H. CLARKE. No, I do not think that anything would alter the case for my hon. friend (Mr. Lennox). I cannot conceive of anything the committee would do that would alter the opinion of my hon. friend. He thinks, I am sure, that this whole government has been a farce since 1896; I have no doubt there is nothing that this government, or any committee appointed with the consent of this government has done, that is not a farce in the opinion of my hon. friend.

Now, what was the proper position of these hon. members? If they wished to retire from this committee, and give way to other men, they could have asked to be relieved of their duties. If they had done so, of course they would have given some reason for it. The only reason they could give would be that, so far as appears by the record, they held that they should be allowed to choose the counsel. The House has already passed upon that. Therefore, we have the spectacle here of three members of a committee appointed by the House, undertaking the duties, not asking to be relieved, still remaining members of the committee, yet absenting themselves from the committee, where, according to their own statements, it is of the utmost importance they should be. If the counsel, and the members of the committee are not doing their duty, surely all the greater is the reason why these three—who are equal to four or more—should be there to see that the investigation is properly carried on. I have no hesitation in going before the people, and commending those who serve against those who quit. Why, service has been praised ever since the battle of Crecy. We have, in the crest of the Prince of Wales, under the three white ostrich feathers, the motto 'Ich Dien'—I serve. And so honoured a place has this motto, and the idea it represents in our minds that we have the nobility of service taught in the schools. The attempt is now made to reverse that. Instead of it being a virtue to serve, it is represented as a virtue to quit. It is so important a revolution in the ethics of this country that it should be commemorated. There should be pictures of the three members filing out of the committee room with the motto, 'I quit.' The white feathers might remain, for I think they would be quite appropriate. And these should be posted in the public schools, to teach the precept hereafter that quitting is a virtue instead of service.

Mr. S. BARKER (East Hamilton). I do not propose to follow my hon. friend from South Simcoe (Mr. Lennox) in showing the enormous amounts of money involved in this question. I think there can be no doubt in the mind of any hon. member that the amount involved in the question whether there has been gross negligence, or whether there has been swindling in connection with these operations is enormous, it is away op in the millions. The first estimate we had of the cost of this road from the government was $51,000,000. There cannot be a doubt now that the cost will be at least three times that—probably more. So it is of great importance to the people of this Dominion that the truth should be known as to how this great discrepancy has occurred. Therefore it is that the hon. member for South Simcoe took some pains to lay before the House and the country the real gravity of the situation, that the people might understand that this is not merely a question whether three gentlemen choose, or did not choose, to go on with this inquiry, but a question whether there shall be a fair and full inquiry into a matter of great practical importance to the public.

Now, I observe that the hon. member for South Essex (Mr. A. H. Clarke) has tried to be a little humorous and sarcastic. He says that the charges made by Mr. Lumsden are against other officers lower than himself. That is precisely what a majority of the committee are trying to make out, the case is represented to be from first to last—simply a quarrel, a difference of opinion, between Mr. Lumsden and his subordinates. But no one knows better than the hon. member from South Essex that there is a much graver question than that in it. It has been stated in writing that these subordinate officers are believed to have been acting, not upon their own motion, but under instructions given by those above both themselves and Mr. Lumsden. The question, therefore, arises who are the people who have led these subordinates to do these wrong actions. That is a most important question and it is the question upon which everything turns. We have not been trying to find out exactly what was the motive of the subordinate engineers. I do not believe for a moment that these subordinate engineers have been doing this off their own bat; I am quite sure they have not. They have known that they have the support and backing of people in place, who can maintain them and support them in whatever they do; otherwise those men, I believe, would never have done what they did. Now I do not propose to occupy the time of the House in discussing what it was necessary for my hon. friend from Simcoe to discuss; I propose to deal simply with the question why I felt compelled to withdraw from the com-

mittee when I had been appointed to it by this House, and had accepted the position. I admit the gravity of the step that I took, I am not going to treat it lightly, and I hope the House will believe that I realized the gravity of the step. I retired because I felt it was my duty to get out of that committee, and not be a party to what I might call a whitewashing operation. That is the truth, and the whole truth. If I had had any doubt as to the propriety of my conduct, I would have been satisfied to go on. But I have no doubt now, and I had no doubt at the time; I believe now that I was right in the course I took.

Now I want to recall for a moment the beginning of this thing. It is in the recollection of the House that in 1908 Major Hodgins, then in charge of 386 miles of the western end of this section of the road, had made grave charges against the staff, and his charges, his allegations, extended not merely to his own district F. but also to section B. Those allegations led practically to his dismissal by the commission. Subsequently a committee, known as the Hodgins Committee, of which I was a member, and two other gentlemen opposite were members, was appointed to investigate that question. I need not state what that committee did. Nothing resulted. The majority of the committee on that inquiry cleverly induced Mr. Hodgins to admit that the inquiry would be more satisfactorily prosecuted by a board of engineers than by the committee that was investigating it, and thereupon the whole thing was thrown overboard, and that was practically the end of the Hodgins inquiry. But, Mr. Speaker, within a year afterwards the whole country was startled by hearing that the chief engineer, who, acting under the commission, had been a party to the dismissal of Mr. Hodgins, had himself resigned, and in doing so had made grave and serious charges with respect to the very districts that were involved in the Hodgins inquiry. The Hodgins inquiry arose largely on district F, but Mr. Hodgins had been taken down to what is called a kindergarten show on B, and so some evidence was given as to district B. And those two districts, F and B, are the districts with which the whole inquiry under the Lumsden Committee is concerned. We had that investigation in 1908, and no action was taken by the government, no action was taken by the commission, no investigation as to what was the real truth about the Hodgins complaints. Everything was smoothed over, not a word from the government, or from any department of the government on that subject, until Mr. Lumsden throws up his most important position, his salary of $6,000 a year, goes entirely out of the service of the commission, because he could not stand what was going on. Now that was a startling position, and the Prime Minister very properly treated those allegations and those charges as very serious and very grave, and he moved for a committee of inquiry. It is with regard to that committee that I am now speaking, because I wish to explain to the House why I retired from it. As I said, I need not go into the gravity of the subject, because my hon. friend from Simcoe has done that. But even if he had not said a word, the very fact that the Prime Minister had treated the allegations as very grave, and had on his own motion obtained an order of the House for this investigation, would render any remarks from me on that subject unnecessary. No one will question that if the charges be true, if there be even a reasonable foundation for those charges, the reputation of the gentlemen who compose the commission, and of the minister, must be seriously compromised; there cannot be a question about that. How can it be otherwise? If there is any reasonable foundation for these charges, the government which is responsible for the appointment of that commission, and the commissioners who have been in charge of the work, must be compromised in their characters, in their reputations. The commissioners are appointed by the government, they held office during the pleasure of the government. These facts I take from the statutes authorizing the commission: they must render monthly statements and accounts to the government of all outgoings, receipts and liabilities; their books and records are at all times open to the government, and they report to parliament only through the government. So they are the direct officers of the government, and responsible to the government, who have power to dismiss them when they see fit. So far as their functions are concerned, they are to all intents and purposes as much a department of the government as is the Department of Public Works, or any other department. They are even more so, for the ministers report to this House, while the commission only report to the minister. They are in fact servants of the minister, and the government is responsible to the House for their conduct or misconduct.

Now, at the first meeting of the Lumsden Committee an order was made that the commissioners be notified, so that they might be present, and it was ordered that Mr. Lumsden be summoned to attend as a witness. The commissioners were notified to be present for the purpose of the investigation. At the next meeting the commissioners were in attendance, and they came represented by counsel. Mr. Lumsden was informed that he was at liberty to have counsel, but he replied that he did not want counsel. Now, the moment the minority of the commission ascertained

that Mr. Lumsden was not to be represented by counsel, the situation was very much altered. Everybody knows that in making out such allegations as Mr. Lumsden made the assistance of counsel was absolutely essential. So when we heard that Mr. Lumsden was not going to have counsel, as we all expected he would have when he said in the presence of the committee that he regarded himself merely as a witness, that he was not a prosecutor, that he was there to answer questions with regard to any statement he had made, but that he was not there as a prosecutor, and was not going to employ counsel; from that moment the whole position was altered. In the absence of counsel for Mr. Lumsden the position was this: The contractors were going to have counsel, and they now have counsel. The commission—practically the government—were going to have counsel, and they came there with counsel. They did not ask the permission of the committee; they brought counsel with them. There was no counsel to prosecute, to prove the charge. Immediately, in the committee, we took the position that there should be somebody there to represent the public and probe this matter to the very bottom. Mr. Smith, the counsel of the commission, was quite frank. He said: On my instructions to investigate everything I can represent the public. He thought that he could save the public from going to the expense of employing counsel to follow this investigation up, because his instructions, he believed, were quite broad enough to cover that. So, there was Mr. Smith looking after the public and for the commissioners, and there was another gentleman looking after the contractors, but nobody at all to represent the public really as we thought the public should be represented. Out of that position grew the whole trouble. We asked that we should be allowed to nominate counsel to investigate everything, to act for the public, in fact, and we contended that it would be absurd for counsel to come there appointed practically by the majority of the committee, because that counsel would know that he was appointed, in fact, by the government and he would represent the government. It was obvious that no counsel appointed by the majority of the committee could feel it to be his interest and his duty to bring the matter home to the government if the government were to blame, or against the commission if the commission were to blame. That was the whole point, and upon it all this discussion arose. There was some dispute as to the necessity of counsel. The hon. member for Pictou (Mr. Macdonald) said, in reply to the hon. member for South Simcoe, 'When you say the Transcontinental Commission is on trial here, I say they are not.' That was a pretty emphatic statement to come from a member of the committee. That was an absolute acquittal, right off the bat, of the commission. They were not even on trial, and that was the position taken by the hon. member for Pictou. These were his very words. I repeat them: 'When you say the Transcontinental Commission is on trial here, I say they are not.' The minority of the committee heard that statement from the majority.

Mr. MACDONALD. What page was that?

Mr. BARKER. I will give it to my hon. friend. Then the minority saw at once the position going to be taken by the majority. There was no complaint, no charge against the commission, and they were not to be investigated. I dare say they would have objected to any investigation as against themselves, there being no charge against them, and they had the authority of the hon. member for Pictou to that effect. We never concealed our view of the position. We said frankly: We of the minority desire to prove this case if it can be proved, and on the other hand, the hon. members comprising the majority would prefer that we should not prove it. Therefore, we said, if this is to be prosecuted in the sense of a public prosecution and a public inquiry, we, who want to see this investigation succeed, should have the nomination of counsel and not those who want to see it fail. I think that was a perfectly legitimate position to take, and we were driven to it by the fact that Mr. Lumsden had refused to have any counsel, for in the absence of counsel representing the minority or Mr. Lumsden there would have been no prosecution of the inquiry at all. A motion was made by us that we should not proceed until counsel had been appointed. Immediately afterwards the suggestion was made that the hon. member for Pictou and I should meet and endeavour to agree upon counsel. We did meet, and ultimately we failed to agree upon counsel. The hon. member for Pictou said to me—there is nothing private in what I shall state—'Suppose we (the majority) name a Conservative lawyer of high standing'? I replied: 'It does not matter at all whom you name; our position is that you are not to name the man to prosecute this inquiry, but that he should be named by us because we desire the prosecution of the inquiry.' That position was taken fairly and squarely. There is no question about the position that we represented. We said: No matter how eminent the counsel may be, if he be nominated by the majority he will regard himself as acting for them, while if we nominate him, he will know that, and accept our directions and act on our behalf. I see it has been asserted that we did not

name any counsel. I rather gathered from the hon. member for South Essex (Mr. Clarke) that he was under the impression that we did not name counsel. I named three counsel to the hon. member for Pictou and not one of them was satisfactory to him. I do not find fault with him for it, but I did name three, and I venture to say that the counsel I named were quite as eminent, quite as well known as the gentlemen they have appointed, and probably more broadly known throughout Canada. But just consider what the objection was. The minority were content to have certain gentlemen as counsel. The hon. member for Pictou did not think them eminent enough. Surely, if we, who were really anxious to succeed in this inquiry, were satisfied with the counsel, he need not have made much objection. We were the parties who wanted the work well done, we were the side that wanted the eminent counsel, and we were not likely to take a man who would not have done his work well. We knew the men perhaps as well as the hon. member for Pictou did. But nothing would satisfy him, and the hon. member will recollect that our endeavours to agree upon a counsel ended by his telling me that they had decided to stand by Mr. Wallace Nesbitt. That ended it, and there was no use in proceeding further on that subject. I do not propose to mention the names of the other gentlemen. They have not been appointed, and privately we agreed that we would not mention the names of any who were not appointed. There is not the same objection to mentioning the name of Mr. Wallace Nesbitt, because his name has been published in the press, and Mr. Chrysler has been appointed, so that the same secrecy is not called for with reference to these gentlemen. But the other gentlemen would have been quite satisfactory to us, and if we were satisfied with them, I don't see why the majority should have objected. As to Mr. Nesbitt, I wish to say, as the member for Simcoe said, that there was no question at all about his standing or his professional reputation or anything of that kind. He is a personal friend of mine. We made no question about his ability, but what we did say was that we would not have Mr. Nesbitt or any other man who was the nominee of the majority of that committee. We made that perfectly plain; there is no doubt at all about it; our objection was that we knew that neither Mr. Nesbitt or any other gentleman named by the majority could do the duty we required of him to probe that matter to the bottom. If the majority of the committee appointed him he would know for whom he was acting, and if we nominated him he would know he was acting for us. That is all we cared for, and we laid that principle down, and the majority refused to assent to it. The position we took was made perfectly clear, because I drew up a short memorandum in the nature of a report and submitted it to my friends in the minority, and it was read and appears on the minutes. It was to this effect:

Mr. Chairman,—Pursuant to what passed at the last meeting, Mr. Macdonald and I endeavoured to agree upon counsel to act in the prosecution of this investigation. We have failed to agree. I insisted that the members of this committee who represent the opposition should nominate that counsel, subject, of course, to the gentleman named being a proper person, acceptable in that regard to the committee.

We did not wish to bring in any man, regardless of his standing and we conceded that he must be a man of character and standing at the bar. Subject to it being approved in that respect, we claimed that the man who was going to pursue that inquiry to the end ought to act for us and be named by us.

Mr. Macdonald would not concede that we of the opposition should have such nomination. We have therefore failed to agree, and I may at once say that that question was the real difficulty. I am not now arguing the question but stating the facts, and to put my position clearly I move:—

That it is the right and duty of the members of this committee who represent the opposition to nominate a counsel who shall prosecute this investigation in the public interest.

The majority voted down that resolution, four to three.

Now, I have endeavoured to make quite clear what it is that we contended for—the commissioners were represented by counsel selected by themselves and paid by the country; Mr. Lumsden took the position that he was simply a witness, that he was ready to answer as a witness, but that he was not prosecuting and would not appoint counsel to make good his charges. It was not disputed that there ought to be counsel to prosecute the inquiry and establish the charges if they were true. The only question was who should nominate that counsel; should he be nominated by the opposition members, whose interests and whose wishes were to probe the matter to the very root, or, by the government majority on the committee, who, as we said, and as we believed, would desire and prefer that the charges should fail. There was the clear issue, and there could not be any question about that. There was no misunderstanding about it at all. We wanted a counsel to act for us who knew that he was acting for us and for nobody else; we wanted him to know that he was not acting for the government, because the government would be blameable if the charges

were driven home; we wanted him to know that he was not acting for the commission, because they had their own counsel, and they would be to blame if the charges were driven home. We contended that in the public interest there should be counsel who would follow up every charge to the end and endeavour to make it good, if it were possible to make it good. But the majority of the committee scoffed at our want of faith in them; our want of faith in the absolute purity of their motives. One after the other of them read us homilies upon partisanship; they all professed there was nothing like partisanship on their side, and that they were above that sort of thing. I recollect that one member of the majority of that committee—I need not mention his name—was so horrified by the doubts cast by the member for Simcoe upon their perfect impartiality, that he exclaimed: My God, what do you want? and he added: I am an honest man.

Sir WILFRID LAURIER. Hear, hear.

Mr. BARKER. Well, they were all honourable men, of course, but they recognized us three of the minority as partisans, and they themselves: Oh, no, they were not partisans. But we frankly treated them as partisans. We wanted to drive that case home, and we said so, and we said we wanted counsel to help us in doing it. We represented that we did not want the other side to appoint their own counsel to prove them guilty. We knew they would not do it, and we did not propose to go through the humbugging operation of having a counsel to defeat the objects of the men whom he was supposed to be working for.

I want to say a few words more. I have already said that Mr. Nesbitt is a friend of mine, but that does not debar me from saying a few words as to the impropriety of any attempt to get him to act as counsel. I put that squarely. I will read a few letters from the Hodgin's inquiry. At page 420 of that inquiry there is this letter:

Toronto, November 27, 1907.

P. E. Ryan, Esq.,
Secretary of Board of Commissioners of Transcontinental Railway,
Ottawa.

Sir,—We have obtained the opinion of Mr. Wallace Nesbitt, K.C., on the interpretation of clauses 34, 35 and 36 of the specifications, and will forward same to you by to-morrow's mail, and have the honour to remain,

Your obedient servants,
AYLESWORTH, WRIGHT,
MOSS & THOMPSON.

I may say that clauses 34 and 35 and 36 of the specifications referred to in this letter are the basis of all the trouble. There is another letter on page 421 which reads:

Toronto, November 28, 1907.

P. E. Ryan, Esq.,
Secretary of the Board of Commisioners of the Transcontinental Railway,
Ottawa, Ont.

Sir,—Re contract for the construction of the Transcontinental railway (eastern division) and specifications attached thereto.

We have the honour to inclose you herewith the opinion of Mr. Wallace Nesbitt, K.C., as to the construction to be placed upon the language used in the above specifications in the classification of material. Kindly acknowledge.

We have the honour to remain, Sir,
Your obedient servants,
AYLESWORTH, WRIGHT,
MOSS & THOMPSON.

Then there is this letter from the secretary of the Transcontinental Railway Commission to the Minister of Railways:

Ottawa, December 2, 1907.

Sir,—I have the honour, by direction of the Board, to hand you, which I do herewith, a letter from Mr. Wallace Nesbitt, K.C., addressed to Messrs. Macdonald & O'Brien, and submitted on their behalf to the commissioners, containing Mr. Nesbitt's opinion as to the construction to be placed upon the language used in the specifications with respect to the classification of material; and I am to request that you will have this letter placed on the file which accompanied my letter to you of the 23rd ult. and considered therewith.

I have the honour to be, Sir,
Your obedient servant,
P. E. RYAN,
Secretary.

Then follows a very long letter from Mr. Nesbitt, K.C., to Macdonald & O'Brien, contractors on district B, discussing these questions of classification that the witnesses are to be examined upon; that Mr. Lumsden is being examined upon; that Mr. Smith, the counsel for the commission, is doing his best to break him down upon. All these are discussed by Mr. Nesbitt, and that letter of his was filed as evidence in the Hodgin's inquiry, and Mr. Nesbitt commits himself to opinions on this classification diametrically opposed to Mr. Hodgin's views and to those of Mr. Lumsden. Just picture Mr. Nesbitt acting in this inquiry and putting in Mr. Nesbitt's written letter as evidence to prove what the true construction and meaning of the specifications was. What position would we have occupied if we had agreed to accept Mr. Nesbitt to prosecute this investigation, and he had been asked by the unanimous committee to take the brief? Perhaps Mr. Nesbitt would have accepted the brief under such conditions, but when he heard that we objected to anybody named by the majority, he at once declined. And yet we were asked to accept him as the one man who above all others could do his duty in this matter. I know Mr. Nesbitt well, and we all have the highest respect for him, but I repeat that no

man could do his duty in prosecuting this investigation who had given that opinion He was against Mr. Lumsden from the word go, and he could not do his duty from our point of view. He would have done his duty according to the opinion of the majority of the committee, I have no doubt. I do not like to say that they deliberately selected him knowing that, but it is most extraordinary that even in this Lumsden inquiry that very opinion has been put in evidence against Mr. Lumsden, as already published by this very majority.

Mr. MACDONALD. Does my hon. friend say that the question on which Mr. Nesbitt gave the opinion is the issue now before the committee?

Mr. BARKER. I say that the specifications as to rock, loose rock, and common excavation are dealt with in that opinion broadly and largely, and these are the very questions coming up.

Mr. MACDONALD. My hon. friend does not follow the question I was asking. I want to know whether he says that the matter referred to in that opinion is the issue before this committee.

Mr. BARKER. I say that after the Hodgins inquiry Mr. Lumsden consented to certain variations, but the man who gave that opinion could not have an unbiassed mind on the question between Mr. Lumsden, and the contractors.

Mr. MACDONALD. Why not?

Mr. BARKER. Well, I would rather not employ him if I had a case against the contractors.

Mr. MACDONALD. If my hon. friend is not prepared to say that the opinion of Mr. Nesbitt is on the question at issue before this committee, there is no reason why he should not have been employed.

Mr. BARKER. I assume that it is in issue, or they would not have put it in in evidence in this very case.

Mr. MACDONALD. It might have been evidence, and not in issue.

Mr. NORTHRUP. It could not have been evidence unless in issue.

Mr. BARKER. It bears on the case, and the man who gave that opinion would not have been in a position to act as a proper counsel against the government, or against the contractors.

I want to recall to the memory of this House a case that arose when hon. gentlemen were in the minority, and the Conservatives were in power, and I want to contrast the treatment that was accorded to them with the treatment that the government to-day are according to the opposition. The cases are very much alike. I refer to the celebrated McGreevy case of 1891. Allegations of misdoing had been made by a brother of Mr. McGreevy, involving not only him, and certain contractors, but also the Minister and Department of Public Works of that day. Sir John A. Macdonald was the leader of the government, and I think Sir John Thompson was Minister of Justice. The right hon. gentleman (Sir Wilfrid Laurier) was then in opposition, and Mr. Tarte, a member of the Liberal opposition, presented to the House a resolution demanding an inquiry before a special committee. It was suggested that it might go before the Committee on Privileges and Elections, which was assented to on all sides. I need hardly say that the majority on that committee were Conservatives, and the minority, including the right hon. gentleman, Mr. Tarte, and others, were Liberals in opposition. It appears that at the first meeting of the committee Mr. Tarte appeared with counsel, who was Mr. Geoffrion, K.C., a brother of the chairman of this Lumsden committee, a fact which might have recalled to him the history of the McGreevy case. No objection was made at all. There was no pretense on the part of the partisan Conservative majority that they should name the counsel to prosecute the inquiry—not a word on that subject. Mr. Geoffrion acted as counsel, and was paid by the government of the day. I do not suppose he was paid in advance; he was paid afterwards, I believe, $3,000. But the point I make is that while the right hon. gentleman, then in opposition, was willing to accept from the Conservative majority of that committee what he refuses to us, he claims that he is all right now, and I suppose he was all right then—he wants to take both sides. He was glad to accept from Sir John Macdonald the privilege of appointing counsel to investigate that case, but he refuses to give the minority in this case the privilege which he enjoyed in the McGreevy case. Why is it so? Counsel were appointed in that case for the Public Works Department, an analogous appointment to that of Mr. Smith for the commission. Those prosecuting the charges were allowed counsel named by themselves and the government paid him. Counsel were appointed for the contractors. The contractors paid their own counsel, but all others were paid by the government. It appears that there were a hundred meetings of that committee, and it is stated in the speech with which the report was made that in all those hundred metings there was only one division of the committee. And on that occasion, with a majority of Conservatives in the House, the motion

was carried two to one, showing that the conservatives supported the opposition of that day in what they wanted. Not only that but it was said there, and uncontradicted, that the utmost freedom was given in the production of evidence. In one case in which a witness refused to hand a book over to the committee, the Liberal members wanted possession of the book, so as to examine every page of it. The witness said he would let them see everything relating to the case, but not the whole book. The matter was brought before the House, and Sir John Thompson himself, moved a resolution that the witness be compelled to hand the book over to the committee, and he was compelled to do so. Just look on the two pictures. There is what the Conservative government did. Contrast that with the refusal of this government to allow the minority to nominate counsel.

Mr. MACDONALD. Did the hon. gentleman ever make a charge as Mr. Tarte did?

Mr. BARKER. Mr. Tarte simply took up what was published. Mr. McGreevy's brother was charging him with certain wrong doing. Mr. Tarte brought the matter before the House, and a committee was granted at once.

Mr. MACDONALD. Did not Mr. Tarte come before the committee with his own counsel? The committee did not appoint his counsel.

Mr. BARKER. He acted for the minority all through and was paid $3,000 by the government.

Mr. MACDONALD. Did Mr. Tarte not come to the committee with his own counsel and ask the committee to allow his counsel to appear for him?

Mr. BARKER. He simply came there with his counsel. The next day he explained to the committee that his counsel was absent owing to illness in his family.

Mr. GERMAN. Did not Mr. Tarte make the charges on his responsibility as a member of this House? And if he had not succeeded in establishing them, would he not have had to resign his position?

Mr. BARKER. There is no such law as that. What difference did it make here? If the right hon. the leader of the government had not moved the resolution he did would not the leader of the oposition have moved it. Do you suppose that the resignation of Mr. Lumsden would have been allowed to go without inquiry? If the right hon. gentleman had not moved for a committee, a committee would have been moved for from this side of the House. What difference would it make?

Mr. MACDONALD. If my hon. friend will look at the report of the proceedings of the committee referred to, he will see that the chairman, Mr. Girouard, having asked whether any of the parties desired to be heard by counsel, Mr. Tarte handed him the name of Mr. C. A. Geoffrion. It was Mr. Tarte who appointed his own counsel, and not the committee at all.

Mr. BARKER. We can easily get counsel if you will allow him to act, but you will have no counsel. The government of that day paid Mr. Tarte's counsel. Mr. Tarte was only one member of that committee and his request was granted. But three-fourths of the committee in the present case have asked for counsel and their request is refused?

Mr. MACDONALD. Did not Mr. Tarte have his counsel appointed because he made the charge?

Mr. BARKER. Mr. Tarte went there with his counsel, and the chairman of the committee asked him if he wanted to appear by counsel, and Mr. Tarte said he did. Why could not that be done here? On the Lumsden Committee, there were three members of that committee who wanted to appoint counsel, and their request was refused.

Mr. MACDONALD. If my hon. friend had made any charges himself, no doubt, he would have got his counsel, but he did not make any charges, and Mr. Lumsden said he did not want any counsel.

Mr. BARKER. Suppose I had moved that resolution, would it have made any difference whether it was moved by me instead of the Prime Minister?

Sir WILFRID LAURIER. In the case alluded to, Mr. Tarte made an accusation which put in peril the seat of two members of the House, Mr. McGreevy and Mr. Langevin.

Mr. SPROULE. How would it imperil Mr. Tarte's seat?

Sir WILFRID LAURIER. If the charges were proved, he would be unworthy of a seat in this House.

Mr. NORTHRUP. There is no such law in England or Canada.

Mr. BARKER. The right hon. gentleman will not contend that it is absolute law that a man who fails to prove his charge will lose his seat.

Sir WILFRID LAURIER. I do not say it is statutory law but it has been the law of parliament.

Mr. BARKER. Never.

Sir WILFRID LAURIER. Was not Mr. Sadler expelled from parliament on a charge against him?

Mr. R. L. BORDEN. The hon. member for Pictou (Mr. Macdonald) said that Mr. Tarte would have lost his seat if he had not been able to make his charges good.

Sir WILFRID LAURIER. Yes, and I say it on the authority of Sir John Macdonald. When in the Pacific scandal Mr. Huntingdon made a charge against Sir John Macdonald, Sir John said that Mr. Huntingdon would be driven out of the House if, having made such charges as he did, he failed to prove them. No doubt if the charges were not true, Mr. Huntingdon would have been unworthy of a seat in this House.

Mr. R. L. BORDEN. Sir John Thompson at the time certain charges were made by Mr. Edgar, reviewed the whole question and declared that, having carefully examined the cases, there was absolutely no such rule in parliament.

Mr. NORTHRUP. You will find on inquiry that the law is this. There is no penalty against any member making a charge against a fellow member involving the loss of his seat as the consequence of a failure to prove the charge; but if the charges are of such a character that, not being proved, the House considered that the member who made them is not a fit and proper person to sit among gentlemen, the House will expel him.

Mr. BARKER. In that case the man would be guilty of conduct not becoming a gentleman. But that is not the point here. In the Tarte case, Mr. Tarte took up matters of public rumour and put them into the form of a resolution, and a committee was granted without discussion. He went before the committee and brought counsel with him, without permission of the committee or anybody else.

Mr. GERMAN. He was not a member of the Committee on Privileges and Elections at that time.

Mr. BARKER. I think he was. I do not think that that committee is confined even now to members of the legal profession. At all events, I have seen his name in that committee.

Mr. GERMAN. He was at their meeting.

Mr. BARKER. He was in the list of members of the committee. There are members on that committee now who are not lawyers. It has been the general understanding that on that committee lawyers should be appointed, but there are members on it who are not lawyers. It may be that his name was put down by mistake, but it was there. I know the right hon. gentleman was there—

Sir WILFRID LAURIER. No; I was a member of the committee, but I did not attend on that occasion; I took no part at all.

Mr. BARKER. The hon. member's name was down as being present. However, there was the position—it seems perfectly clear that the right hon. gentleman was glad to accept the privilege granted Mr. Tarte of appearing by counsel to prosecute the inquiry, but that he refused to allow the minority in this case, when they asked for it, the same privilege. I do not understand how that can be justified except on the ground of brute majority. There is no other reason for it.

Mr. SPEAKER. I do not like that expression 'brute majority.' Perhaps the hon. member might use some other.

Mr. BARKER. I do not use it in a personal sense. But, in any case, I do not wish to insist upon it. What I insist upon is that in a matter of this importance, involving so much to this country, it is an outrage upon public rights for the government to refuse the appointment of counsel to represent the prosecution in this case, and that the investigation should be going on in the way it is without any counsel there to drive home the charges against the commission or the government.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. VICTOR GEOFFRION (Chambly and Verchères). When my hon. friend from Hamilton (Mr. Barker) was speaking, I was surprised to hear a gentleman of his eminence at the bar quoting a part of the evidence, and discussing it when the whole of that evidence is not yet adduced before the committee, just as if he were taking evidence before a lower court, and reporting it to a higher tribunal before all the evidence was taken. Now the question may be fairly reduced to this, whether my hon. friends opposite were logical, and rational in withdrawing from the committee on the sole ground that they had not the exclusive choice of counsel. That question of choosing a counsel was first submitted, I think they will admit, and pressed by themselves. Although I agreed with them that perhaps it would be better to have counsel, I had my doubts whether the committee, composed as it was of eminent lawyers, at least six members on the committee were eminent lawyers, could not themselves take charge of the investigation. In other committees, for instance in the Public Accounts Committee, the cus-

tom is for some one of the members to take charge of a particular case, and conduct it himself. I did not see why the members of this committee could not conduct the investigation themselves. However, it was thought proper for the speedy conduct of the proceedings to appoint a counsel. Then the question arose whether the counsel should be appointed by the whole committee or by the three members composing the minority. We submitted to them that it was only fair that the whole committee, representing as it did the whole people, should appoint the counsel. They would not admit that proposition, they contended that they alone should have the exclusive right to appoint a counsel. We had before us the precedent of the Hodgins investigation. The gentleman who made the charge in that case came before the committee accompanied with his counsel. In this case the circumstances were very much the same. The charges were made, not by members of the opposition, but by Mr. Lumsden himself against some of his subordinate engineers. It was certainly the right, a right always acknowledged by other such committees, that the parties interested might appear before the committee accompanied by their own counsel. We all expected that Mr. Lumsden would come before that committee with counsel, we also expected that the commission would come accompanied by counsel; it was fair also that the engineers against whom charges had been made, should be represented by counsel. Then the question arose whether the committee itself should be represented by counsel, and we thought that the minority members of the committee were not fair in asking that they alone should be entrusted with the choice of counsel. Hon. gentlemen who have read the report will see that the matter was left to two members of the committee, Mr. Macdonald, and Mr. Barker, to decide who should be appointed. In all the discussions that arose between the members of the committee, the majority contended that they had just as much right to submit names as the minority. Of course we did not wish to appoint a gentleman who was in active politics, we admitted that it would not be fair to the minority to take a man who was engaged in party strife; but we thought it would be fair to take a man of high reputation at the bar, a man who had the confidence of the whole country, and who was not known to be a politician. We went further, and we offered to submit to them a gentleman who belonged to their own party; but still they insisted that they alone should have the right to appoint a counsel. That was their contention, and they would not depart from it. We could not agree with them, and I am ready to submit our view of the matter to the judgment of the House, and to the judgment of the people at large.

Now, reference has several times been made in this discussion to the McGreevy affair as a precedent. At that time I happened to be a partner with my brother, Mr. C. A. Geoffrion, who was appointed counsel by Mr. Tarte. Mr. Tarte made the charge himself, he chose his own counsel. He came to the office when I was present, and engaged my brother, and agreed to pay him himself. Mr. Geoffrion accordingly came before the committee, and took charge of the whole matter for Mr. Tarte, for the man who had made the charges. After proceedings had been going on before the committee for a little time, parliament thought proper to pay themselves the counsel that had been named by Mr. Tarte. Now we did exactly the same thing in the Hodgins case. Mr. Hodgins, who had made the charges, came before the committee accompanied by his counsel. The committee admitted that he had the right to be represented by counsel, and we recommended to the House that the House should pay his counsel. We did just what was done by the House in the McGreevy case, when it paid Mr. Tarte's counsel. And if Mr. Lumsden had chosen to come before the committee with his own counsel, doubtless the House would have consented to pay his counsel, as it did in the cases of Mr. Tarte and Major Hodgins.

Now, Sir, I do not think that the minority members of the committee were really acting fairly when they contended that they were not well treated. They admitted themeslves that they were prejudiced in the matter, they cannot deny it, it is in the report. They say that both parties are prejudiced. We would not admit that, we no more desired to see Mr. Lumsden fail in his charges than we desired to see the engineers fail in their defence, the men who were employees of the commission and consequently employees of the government. Why should we? We took the ground that all members of the committee were disposed to probe the matter to the bottom. If the engineers had done anything wrong we wanted to discover it, in order that we might advise the committee, and advise the House. On the other hand, if Mr. Lumsden fails in proving his charges so much the worse for him. No doubt hon. gentlemen opposite are desirous of finding that the charges made by Mr. Lumsden against the engineers are true.

I have been chairman of the committee, and I think that hon. gentlemen will admit that I have treated everybody as fairly as I could. I have done my very best to help everybody. The committee recommended that Mr. Chrysler put himself in communication with Mr. Lumsden. We advised Mr. Lumsden to tell him every-

thing he could and to come and report to the committee if anything was wrong, assuring him that anything that was wrong would be remedied. As far as Mr. Chrysler is concerned, I had dealings with him as a lawyer before I came to this House, and I had dealings as against him in certain cases. I always found him a very eminent lawyer, a man jealous of his reputation, and I cannot conceive of Mr. Chrysler not doing everything to probe this matter to the bottom in face of the instructions given to him that he must do his very best in that direction. Mr. Lumsden is there to give him all the assistance possible. The commission is open to Mr. Chrysler and Mr. Lumsden, they can go to the books and find out anything they desire to know and produce the evidence before the committee. I do not see why my hon. friends opposite are opposed to the appointment of Mr. Chrysler. The hon. member for South Simcoe went so far as to insinuate that Mr. Chrysler's standing in the profession was not of the highest. I think that all parties before the committee are well represented. Mr. Smith stands at the top of his profession in the province of Quebec. Mr. Moss is an eminent lawyer, and I think Mr. Chrysler is in the first rank of his profession. But, if my hon. friends opposite desired at heart to investigate this matter properly, why did they not themselves undertake to do it? They are three eminent lawyers well able to conduct the investigation themselves. Any one of them could have taken charge of the investigation. In fact, we do not need any lawyer. Any one of them could have taken charge of the investigation with the help of the other members of the committee, and it would have gone just as well perhaps as with a lawyer. But, they would not do that, and if they are not satisfied with Mr. Chrysler, why do they not come back to the committee and help to put the questions if they think that the questions are not being properly put? If they can think of anything else, they are welcome to come before the committee and ask questions, as they have a right to do. I do not think we need to extend this discussion. As I said in the beginning, this is not the place or the time to discuss the question of the cost of the Transcontinental railway, and it is not the time to discuss the evidence. I do not think the House has the right to discuss the evidence, because it is not before them. I do not think it is fair or rational that any member of this House should take the evidence and discuss it when it is not all before the committee yet, and when members of the engineering staff have not been examined. My hon. friend from South Simcoe this afternoon took some parts of the evidence, commented upon them, and left other parts, which, in some instances, contradict those parts which he was commenting upon. I submit that the committee is acting fairly, that it is trying to do its best, and that the House and the people may have every confidence that it will do its duty.

Mr. GEOFFRION.

Mr. T. W. CROTHERS (West Elgin). There is scarcely a question dealt with by this House, or by any of its committees, which is not approached and determined from a party standpoint, and the one before us now is assuredly not one of the exceptions. Conduct and transactions are approved of in this House, which, disassociated from party politics, would receive the prompt condemnation of every right-thinking man. The report under consideration, for the first time, raises the question why the minority on the Lumsden committee refused longer to participate in the investigation, and for the first time gives them an opportunity of answering that question, which, like all other questions, has two sides.

Those who approve the action of the majority on the Lumsden Investigation Committee, try to justify it in this way. They say that Mr. Lumsden, in June last, when resigning his position as chief engineer of the National Transcontinental railway, gave as his reason for so doing, that he had lost confidence in some of the engineers for improper classification and measurements of construction work in sections 'B' and 'F'; that, recently, at the instance of the government, the House authorized them to appoint a select committee of seven to investigate the charge thus made, which was accordingly done, four supporters of the government and three members of the opposition being chosen; that the government and its supporters have no desire or interest to serve other than to ascertain whether the charge be well founded; that on behalf of the people they seek the truth merely; that no charge against the government is made, and therefore it is not a party matter at all; that the whole people of Canada being interested counsel chosen to conduct the investigation should have a national reputation for ability and probity, and should be selected by a majority of the committee, namely, by the four government supporters on it; that they having chosen such a man, the minority on the committee should be satisfied, and that it was unreasonable and unprecedented that they should insist on being permitted to name counsel.

That, I think, is a fair statement of the attitude taken by the majority on the committee, and supported by their political friends—plausible, but, as it seems to me fallacious as well.

Let us, for a moment, examine the other view of the situation as taken by the minority. The government undertook to construct the National Transcontinental railway, to construct that part of it between Winnipeg and Moncton directly as a government work. The government, therefore,

is responsible to the people of Canada for the manner in which that great work is being done, more especially that part of it. When taking power to build that part of the road, they told the people that they had all the requisite information to enable them to say that it could be built for $51,-300,000. The work of construction has now proceeded sufficiently far to enable them to admit that it will probably cost at least three times the sum so named. That admission naturally suggests either that they had not comprehensive and reliable information when those figures were given, or that they are paying for the work enormously more than it is fairly worth. And the reason given by Mr. Lumsden for his resignation points to the latter.

As already stated, the government is strictly and fully responsible to parliament and to the people, in every particular, for the manner in which the great project is being prosecuted, for the conduct of every one engaged in the prosecution thereof, whether it be that of the chief engineer, of the Transcontinental Railway Commissioners, or of the resident and district engineers.

It therefore follows that the investigation directed by this House, and limited as it is to sections 'B' and 'F' of the road—although the opposition contended it should cover the whole project—places the government on trial respecting the manner in which the construction so limited has thus far proceeded. Full comprehension of the above would go far to illuminate the conduct of the majority of the committee as hereinafter set forth. Further, on the 25th of June last the Transcontinental Railway Commissioners sent a letter to Mr. Lumsden, and to each of the other two arbitrators appointed to determine questions of classification, &c., which was in part as follows:

The commissioners object to and protest against proceedings of the arbitrators as being improper and illegal for the following reasons, viz.:—

(a) That they were based in whole or in part on the said draft agreement of May 14, 1909, which had been rejected and which had no existence in fact;

(b) That the examination of the work was of a hasty, insufficient and superficial character;

(c) That the engineers on the line who classified the work were not afforded a sufficient hearing and an opportunity of presenting evidence;

(d) That the contractors were not afforded an opportunity of showing cause, and further to say that the commissioners insist in the public interest that the proceedings of the arbitration tribunal shall be exhaustive, final and conclusive; shall cover all the objections filed by the Grand Trunk Railway Company, and that the report of the arbitrators when made shall be supported by substantial evidence, including details of quantities, etc.

193½

That letter clearly shows the feelings entertained by the commissioners towards Mr. Lumsden. Of that grossly improper letter, written obviously in sympathy with the subordinate engineers and contractors, and apparently to intimidate the arbitrators in the impartial discharge of their duties, the government expressed no disapproval, although it loudly called for sharp repri mand if not for immediate dismissal. The non-action of the government on that letter, and its prompt acceptance of Mr. Lumsden's resignation, show that the government determined to stand by the commissioners, their appointees, and the contractors as against Mr. Lumsden, and the people. One may pause to ask why, and receive some ugly answers to the query. The government being on trial as aforesaid, and in the light of the circumstances I have mentioned it is clear what it desires the outcome of this investigation to be, and it has taken good care to place on the committee a majority of its own supporters upon whom it can rely to guide the inquiry to a satisfactory conclusion. The railway commissioners appeared before the committee with counsel who had evidently been instructed that the carriage of the proceedings was to be in his hands, for he said:

Allow me to say one word. Of course I do not propose to apoligize for my presence here at all, but I did imagine that I represented the public interest. But if in the course of the investigation I can help the committee in a humble way in getting at the facts my instructions are to make the inquiry within the scope of the reference as full as possible, in order to fix the responsibility, if any exists.

But upon its being pointed out that his clients were clearly in the position of defendents, and that it would be too absurd and transparent to entrust the prosecution to the defendents counsel, the committee upon the urgency of the minority thereof determined that other counsel should be engaged to take the carriage of the investigation. Now, it is perfectly clear Mr. Speaker, that the idea of the other members of the committee was that Mr. Smith who appeared before the committee as representing the commissioners, should have the carriage of the investigation, and that there should be no other counsel, and no counsel at all on behalf of the people. At page 11 of the evidence you will find that the hon. member for Pictou stated distinctly that the commissioners were not on trial.

Mr. MACDONALD. The commissioners are not on trial here and there is no use of your saying so.

And further he said——

Mr. MACDONALD. Would my hon. friend quote what Mr. Lennox said right there?

Mr. CROTHERS. I have given you the page, and the words you used.

Mr. MACDONALD. What did Mr. Lennox say?

Mr. CROTHERS. I am going to give more of what you said. You can give us what Mr. Lennox said. But I have no objection to giving what Mr. Lennox said. He said:

Mr. LENNOX. The commission is responsible for the class of engineers that they employ, to employ competent and honest engineers. The commission may be able to show that they are absolutely blameless in this matter.

That is what Mr. Lennox said, and I may say here that the chief engineer was appointed by the government, and not by the commission, under section 10 of the Transcontinental Railway Act, and under section 11 the subordinate engineers, and all other servants, and workmen are employed by the commissioners. Mr. Macdonald said in reply to Mr. Lennox:

The commissioners are not on trial here and there is no use in your saying so.

Mr. LENNOX. It will be just as well for us to give each member of the committee the liberty to express his ideas in his own way. Mr. Macdonald usually claims that privilege for himself, and I will take the same liberty.

Mr. MACDONALD. That is so, and I hope I am not interferring with the expression of your views in that way, but when you say the Transcontinental Commission is on trial here I say they are not.

Well, the Transcontinental Commissioners were there with their able counsel. They were either there as defendants or as prosecutors. Mr. Macdonald repeated that they were not there as defendants, and it therefore follows that they were there as prosecutors. And, the proposition was by the four government supporters on the committee, and by the Transcontinental Commissioners, that their counsel was to have the carriage of the proceeding, acting as prosecuting counsel as well as counsel for the defence. That is borne out by some statements made by the chairman of the committee. At page 12 there is a little conversation with the chairman which shows the view that he entertained at this stage. I quote from the evidence:

Mr. CROTHERS. Yes, and the other side I think will desire to show that they are well founded. A lawyer will know well enough, Mr. Macdonald and Mr. Wilson will know, that no lawyer can represent two sides of a question and represent it properly. We all know that the truth can best be brought out if there is an examination, an examiner-in-chief, and a cross-examiner. That is the principle of all investigations. I have had something to do with investigations myself, and I always encourage the appointment of counsel by any one who wished to have a representative, in order to bring out the truth. We cannot help it, there are two sides upon any point, those on the one side striving in one direction and those on the other side striving in the other direction. No one lawyer can bring it all out, we understand that, and it is necessary in the interests of the public that we should have counsel on each side.

The CHAIRMAN. I think this is a very peculiar position. There are two sides as Mr. Crothers says; I understand that one side is Mr. Lumsden making a charge against other parties, and the other side is the other parties who are accused by Mr. Lumsden. We ask Mr. Lumsden if he wants any counsel and he says: ' No, I do not want any counsel.' Now, who is the other party? The other side is the parties who are accused by Mr. Lumsden of having disobeyed his orders. Now, if they are here and want to be represented by counsel, I, for one, see no reason why their request should not be complied with. In that case we would undoubtedly have both sides represented. On the one hand is Mr. Lumsden making the charge and on the other hand the parties who are accused if they both want to be represented by counsel I should be delighted for them to have as many counsel as they choose. That is the way I understand it, but of course I am in the hands of the committee about that.

I do not know how we can now go on and assign counsel to anybody who is not in the case. I do not think that the government, the commission or anybody else are parties to the case, except Mr. Lumsden on the one hand and the engineers accused by him on the other. That is the way I understand the case stands.

So that the chairman of this committee and the other three supporters of the govment on the committee regarded the two parties in the case as Mr. Lumsden on the one hand and the subordinate engineers on the other hand, while the people of Canada had no interest whatever. On the same page Mr. Smith is reported to have said:

Allow me to say one word. Of course, I do not propose to apologize for my presence here at all, but I did imagine that I represented the public interest. No charge has been preferred against the commission, but the commission desires as full inquiry as possible in order to fix the responsibility if these charges are well founded, and to fix the responsibility for these unfortunate things that exist; and while I should be delighted that counsel should represent any other interests, or should represent Mr. Lumsden's interests, to which I am not objecting in the least, I must say that I have not conceived it my duty to come here to defend the commission against any charges, because I am not aware that any charges have been preferred against them. But if in the course of the investigation I can help the committee in a humble way in getting at the facts, my instructions are to make the inquiry, within the scope of the reference, as full as possible in order to fix the responsibility if any exists.

Mr. Barker said:

As I understand Mr. Smith, he considers himself appointed by the commission to repre-

sent the interests of the public; I, for one, as a member of the committee, think that would be narrowing very much this inquiry.

Then we have Mr. Wilson's view:

I understand that Mr. Lumsden has made some charges, or some reflections against some engineers, and I, for one, will be delighted if Mr. Lumsden is represented by counsel, and that the party or parties against whom he has laid complaints be also represented, but when you talk about counsel to represent 'the public,' that seems to me a very vague word.

So that the idea of the chairman of the committee and the other three supporters of the government on it was that Mr. Smith, who was there representing the commissioners, who were clearly in the position of defendants, having appointed the engineers against whom the charges were made was a proper person to undertake the carriage of the proceedings, which I think will strike any fair-minded man, any lawyer or any layman, as being a most extraordinary position for any one to take, much less for gentlemen who are members of the honourable profession to which I have the honour of belonging. Up until the third meeting of the committee our friends insisted that Mr. Lumsden should be sworn and proceed to give testimony without any other counsel being appointed. We insisted that the proper time to appoint counsel on behalf of the public was at the very beginning of the inquiry, before Mr. Lumsden or any other witness was called to give testimony. When it was announced that Mr. Lumsden was not to have counsel for himself we made a motion to adjourn in order that we might consider the question of naming counsel for the other side; but that resolution of ours was voted down, and the majority of the committee insisted that Mr. Lumsden, the chief witness for the prosecution, should proceed to give his testimony without any lawyer to represent the public, and that was carried. Afterwards the hon. member for Pictou admitted that counsel ought to be appointed to represent the other side, and at page 75 made quite lengthy remarks in reference to that. He said:

Mr. Lumsden says, 'I am not going to be a prosecutor in this matter at all; I am not going to bring counsel; I don't want counsel; I am here only as a witness.' He disclaims any responsibility of any character whatever; consequently the committee would be left in this position, with the assistance of Mr. Smith, representing the commission. But I am not sure, on account of his high standing at the bar, and his position generally, we would all recognize that he would take a very high stand in regard to the matter, and would assist the committee in the fullest possible way. At the same time, personally, I feel that the committee would be relieved of very much labour, and the thing would be very much more satisfactory, if we had somebody here who would assume the role of presenting the facts from the other side.

That was a very proper observation, as I said on the next page:

I am perfectly prepared to agree with everything Mr. Macdonald has said. I think he has covered the ground well.

Then the question arose as to who should name counsel for the other side. The minority of the committee submitted that as there were two sides to the inquiry, as the government was on trial and therefore naturally desired but one ending to it, as the majority on the committee being supporters of the government would naturally desire that it should be exonerated, and, as the characteristic virtue of hon. counsel is to strive to give effect to the desire of his retainers, counsel chosen by the majority of the committee would be satisfactory neither to the minority nor to the public. On the other hand, were counsel named by the minority, it would be his duty to uphold their contention, and that of the opposition, while counsel appointed by the commissioners would uphold their contention, that of the majority and that of the government as well; so that no interest could suffer, and both sides of the controversy would be fully presented. Now I submit to this House that that was a very reasonable and proper proposition. Lawyers know full well that the characteristic virtue of a good lawyer is to strive to carry out the desire of the man who retains him; that is inbred in the very nature of a lawyer; it is involved in the oath he takes before he begins to practice, and he cannot shake himself clear of that influence if he would, and we would not if we could. So that the proper way to get counsel in a case of this kind is for the party who is interested in reaching one conclusion to select one counsel, and the party who is interested in reaching the other conclusion to select the other counsel. The counsel selected by those who desire to reach the one conclusion will strive to give effect to the desire of those who retain him, and the counsel appointed by the other side, as in this case the counsel appointed by the commissioners, will strive to give effect to the desire of those who retain him. It is well known to every lawyer in this House, from the right hon. the Prime Minister down to the humblest member, that that is the best way to get at the truth and to reach satisfactory results.

The majority of the committee having refused to adopt those well recognized principles and to allow the minority to name one of the counsel, I refused and still refuse to serve on a tribunal to hear evidence and argument adduced by counsel chosen by one side only.

The minority named counsel to whom

no reasonable objection could be taken, but the majority would not accept one of them, merely because they desired that the counsel chosen should understand that his appointment came from them, and be influenced accordingly.

It is said that the counsel chosen by the majority is able and honourable. We gladly admit that, but we deny that he is divine. Yes, he is both honourable and human, like the rest of us, and being so, he would, unconsciously, perhaps, desire to serve those who appointed him to an honourable and lucrative position. And I make that statement after an experience of many years, during which I have been associated with many of the most eminent counsel this country has ever produced, several of whom now adorn the bench of our highest courts. More than once in this country we have had eminent judges even, in special political inquiries outside of court proceedings, exercise an unconscious desire to please their political retainers.

There are many able and honourable lawyers on both sides of this House, and there is not one of them from the Prime Minister down, but knows that what I have said is absolutely true, but knows that it is absolutely unfair and contrary to public interests that counsel for both sides of this or any other question should be chosen by those on one side only interested in the result, as is being done here. There is not one who does not know that to have this investigation carried on by counsel so appointed is grossly indecent, and that the results thereof will not command the respect or confidence of the people of this country, who are fully seized of the situation.

Similar methods found great favour with the late Liberal government of Ontario shortly before its ignominious dissolution when, desirous of deceiving the people and of extricating itself from compromising positions—my hon. friend from West Peterboro (Mr. Stratton) will recognize the facts—their modus operandi was to appoint a shrewdly selected commission of inquiry, to retain counsel of their own political persuasion to conduct it, and to refuse counsel on the other side. The results were often amusing, as well as absurd. Such an investigation in the West Elgin case produced a finding that admissions made over the signature of a Liberal member of the legislature and that of his counsel, the present Minister of Justice, were ill-founded. Another, conducted in camera, discovered that certain publishers were losing money at the prices being paid them for school books, while the facts, subsequently revealed, demonstrated that one-half those prices would yield a fair profit, and at the latter prices the books are now being supplied.

In the light of experience, I must emphatically refuse to allow myself to be humbugged by any such transparent scheme or to be a party to any such farcical proceedings. I might add that the gentleman chosen by the four government supporters on the committee is an active politician of the Liberal type, has been a candidate for a seat in this House, and who is now conducting this investigation, figures largely in the Auditor General's report every year, and has received an average of over $3,700 per year for seven years under the present administration. In 1903-4, he received $7,800, last year he received $3,940.74, and no doubt is living in joyful anticipation of better things to come. With this gentleman conducting the prosecution against the government, with able counsel acting for the defendants, the Transcontinental Commissioners, with other able counsel representing the subordinate engineers, without any counsel appearing for the chief engineer, Mr. Lumsden, and with four impartial and righteous judges on the bench, chosen from among the political partisans of the government, who dare question the conclusion that will be reached?

Now I understand that not only are the four gentlemen who represent the government on this committee responsible for this condition of things, but that they have consulted the right hon. the Prime Minister from time to time with reference to the appointment of this counsel, and that the course they have pursued has met with his approval. There are two sides to this question. The government is responsible for the construction of this railway. It is responsible for the conduct of the chief engineer. It is also responsible for the administration by the Railway Commissioners and for the actions of every subordinate engineer who has had anything to do with that road. So that the government is vitally interested in making it appear, as the result of this investigation, that the subordinate engineers were both competent and honest. That is one side. I quite admit, as the chairman of that committee (Mr. Geoffrion) said a few moments ago, that the opposition, in this as in every case, desire to show that some blame attaches to the government. That is always the desire of the opposition. Hon. gentlemen opposite were in opposition at one time, and although that was a long time ago, it is not long enough to allow them to forget their eagerness to establish a strong case against the government then in office. It is likewise a legitimate desire on our part to show that the people are being defrauded out of large sums of money in the construction of this railway, and to bring out in the inquiry before this committee, limited though it be in its scope, limited to a very small portion of the whole road, some facts which would show how the country is being defrauded. On the other

hand, the desire of hon. gentlemen opposite is naturally to prove if possible that everything is going on honestly and properly, and consequently they would not be likely to appoint counsel who would act vigorously in attempting to bring out the facts and prove the government guilty. Will the people be satisfied with an inquiry conducted by two counsel, both of whom were appointed by those who are particularly interested in showing there was no wrongdoing? The minority asked simply for what was reasonable. They asked simply for what was granted in the case of the McGreevy investigation. We have had some quibbling by hon. gentlemen opposite this afternoon regarding that investigation, but in substance there is no difference between the two cases. The opposition of that day were in that case making charges against the government then in office. The man who made the charges asked for the privilege of naming his own counsel. He was most interested in showing that the government were guilty of wrongdoing, and the government of that day, headed by the late Sir John Thompson, very properly acceded to his request. Mr. Tarte, who made the charges and who really represented the whole opposition, was allowed to name his own counsel, and the gentleman he retained was paid by the government. In the present instance, there is a charge made, and the House cannot get away from that. The people so understand the position. The government is responsible for the conduct of every one engaged in the construction of this great railway. The government is on trial; there is no use saying that the government is not on trial. The government desires to be exonerated and the four supporters of the government on that committee desire that the government should be exonerated. I have no objection at all to that desire; it is a very natural desire and a very legitimate desire. But, when they tell us that it is not a party matter and that they have no party feeling in it—well, they may tell that to the marines. If there is no party feeling about the matter, why did the Prime Minister not name four Conservatives instead of four Liberals on that committee? Why were four supporters of the government appointed, two of whom at least have had a great deal of experience in matters of this kind? If it is not a party matter why did the Prime Minister appoint men whom he thought would guide the inquiry to a satisfactory conclusion for the government? I do not purpose for one, Mr. Speaker, to be a party to any such farce. I have been interested in several similar investigations in the province of Ontario, and there I knew of eminent counsel; counsel just as eminent as those who are engaged in this investigation—and I know what I am speaking of—deliberately concealing documentary evidence that would be strong against the government. So that I submit, Mr. Speaker, to this House, that we were asking nothing but what was fair and reasonable, and the Conservative minority upon that committee, having been refused what was fair and reasonable, I declined to be a party to any proceeding of that kind and I am very glad that I did decline, and I would do so again under similar circumstances.

Mr. E. M. MACDONALD (Pictou). Mr. Speaker, I am sure that most hon. members who have followed this discussion have wondered why it was that my hon. friend from Simcoe precipitated a debate on this matter, and why we have lost this afternoon and this evening so far in discussing the subject he has presented to the House. Did I say subject which he has presented to the House? Perhaps I should not have used that expression, because so far as I have heard his charges, and those of his friends who have followed him, I am yet at a loss to know what subject he did present to the House. My hon. friend well knows that the proper time to discuss the facts which relate to this matter is when the committee appointed by this House makes its report after all the facts have been elicited, after all the evidence has been obtained, and when the House would be in a position intelligently, and fairly to consider the whole matter. But, the hon. gentleman did not choose to wait until then; he thought it would be a good thing for him from a political point of view to have a debate on a presentation of one side of the story. My hon. friend, and his associates have talked a good deal about this matter to-day, but they have not ventured to come in the proper parliamentary way and ask the indulgence of the House for their non-attendance on that committee. The reason is that these hon. gentlemen know they have no grounds upon which they can ask the House to excuse them for not performing their duties as members of that committee. Let me consider for a moment what the position of members of a parliamentary committee are. My hon. friend the leader of the opposition has always manifested some regard for the maintenance of parliamentary rules, and I think that in this case he should have seen to it that his followers should pay some respect to these usages which have always obtained in this, and in the English parliament. Hon. gentlemen opposite are always ready to cite precedents from the mother country, but when it comes to their carrying out in a proper spirit the usages prevalent in the mother of parliaments, they are not very careful about their performance. When the right hon. the Prime Minister moved to appoint this committee they knew just as well as

they do to-day everything which they have presented to the House now; they knew the committee was to be composed of a majority of members supporting the government; they knew that under the usual rules of parliamentary government a majority of that committee would be in sympathy with the government of the day, and, why did they not take the position then that they would not serve on that committee. I might suggest that there are reasons why these gentlemen have declined to serve on the committee, and these reasons may become apparent before the close of this parliament. In the meantime the reasons which they are attempting to present are not valid reasons, and do not constitute any logical argument why they should be excused from attending the committee. They went to that committee with a mandate from this House to perform a duty which the people elected them to discharge, and when they refused to perform that duty in the committee without the consent of parliament, they just as much failed in their duty to their constituents as if they had absolutely refused to sit and vote in this House. If my hon. friends want to make campaign material on a one-sided story in regard to this matter, they will no doubt be able to do so by the course they have taken. But so far as I am concerned, the House having assigned to me certain duties to perform in that committee, and having delegated to me the maintenance of the rights of the people, and of this parliament, I feel it my duty to accept the responsibility delegated to me and to proceed with the investigation and to report on the facts as I find them.

And to ask me or any other gentleman constituting that committee to come in now and discuss in this parliament the merits of this case is a proposition to which I will not assent; and so far as I am concerned my hon. friends will be able to present to the House and to the country, for the moment, a one-sided story. Then, Sir, if this debate was to have any purpose whatever, it was evident that these gentlemen have not the pluck to risk the judgment of the House upon this matter, and they are attempting by quibbling to discover a way of retreat, and to try to show their friends outside that they are making a brave fight, instead of abandoning their functions and neglecting their duties. Let us examine their reasons. I ventured to say in a previous debate on this matter, that my hon. friends would search in vain the records of this parliament or the records of the imperial parliament to find any precedent for the proposition that the minority of a committee were the body to dictate as to the appointment of counsel or to do anything else. If my hon. friend's position is correct that the minority of the committee should rule in regard to the appointment of counsel why should they not rule upon all other questions? As the committee is but a small parliament in embryo, a delegated portion of this parliament, why should not my hon. friends in this House control and direct every matter of national policy? Why did they not go down to Washington and deal with President Taft? If the minority in the House has the same right as they claim for the minority on the committee, they would have just as much right to send representatives to Washington and to dictate the policy of this country in regard to the United States, as they would have to dictate the proceedings of this committee. Indeed, to hear my hon. friends talk, one would think they are still sleeping the sleep of Rip Van Winkle, and they are still under the impression that their party, which was defeated fourteen years ago, are still in power, and are still running the country. The government of this country and the members who support this government came here in 1908 with a mandate from the people to govern this country in parliament and in committee. We are responsible to the people to-day, and we will be responsible to them so long as this government has the support of the majority of the members of this House, and we could not rid ourselves of responsibility in regard to the appointment of counsel or of anything else by delegating that authority to my hon. friends opposite.

Now, Sir, is there any precedent for my hon. friends position? I say there is not. I have listened to these hon. gentlemen, and they have failed to produce a single precedent for their contention. Don't you think that if they had found in the long history of England anything to support their theory that the minority should control the proceedings of the committee, they would have produced it? Don't you think that if they could have found in the forty years' history of this parliament any precedent of that nature they would have produced it? Not one precedent have they found. Their position is absolutely untenable, and contrary to the history of responsible government in this country. I thought my hon. friend from Elgin (Mr. Crothers) to-night was hardly as enthusiastic in his address as he usually is. He, and my hon. friend from Hamilton (Mr. Barker), would like their friends who are going to read their speeches in the country, to think that when they had control of the government in 1891, they actually went to work and appointed Mr. C. A. Geoffrion, who was subsequently a member of the government of the right hon. gentleman who leads this House, and allowed that prominent Liberal to come in and conduct the prosecution in the McGreevy case, and

paid him for it. They know that nothing of the kind occurred. I have under my hand an extract from the reports of the proceedings before the committee in 1891, which shows exactly what did occur, and I will read it verbatim, in order to put it on the records, and show that there is no excuse for their argument. This is what occurred:

The committee met on Friday, May 15, 1891, under the presidency of Mr. Girouard, now Mr. Justice Girouard. The chairman having asked whether any of the parties were desirous of being heard by counsel——

Mr. Tarte, the gentleman who had taken the responsibility, from his seat in this House, of making a written statement and positive charges against another hon. gentleman in this House.

—Mr. Tarte handed in the name of Mr. C. A. Geoffrion.

, Mr. BARKER. Who paid him?

Mr. MACDONALD. Is there any question about who paid him? I do not know whether he was paid or not. I suppose if he was paid, he was paid by the government.

Mr. BARKER. The government paid him.

Mr. MACDONALD. Certainly they did. But did the government appoint Mr. Geoffrion?

Mr. BARKER. A member of the opposition appointed him.

Mr. MACDONALD. The gentleman who made the charges, Mr. Tarte, chose Mr. Geoffrion as his counsel, and came there with him, just as Major Hodgins did in the committee with which my hon. friend and myself were connected two years ago. Major Hodgins took his cousin, Mr. Frank Hodgins, as his counsel, and brought him to the committee, and asked us to recognize him, and we did so, and we paid him. My hon. friend is quibbling about the question of payment, he and his friends are attempting to mislead their supporters outside into the idea——

Mr. CROTHERS. Did not the gentleman and the party who were making the charges then name the counsel who should prosecute the charges?

Mr. MACDONALD. Certainly, Mr. Tarte named his own counsel.

Mr. CROTHERS. Are they doing it now?

Mr. MACDONALD. Is my hon. friend making any charges?

Mr. CROTHERS. Is the man who is making the charges, or on whose behalf they are being made, appointing a counsel?

Mr. MACDONALD. I have myself repeatedly offered Mr. Lumsden the opportunity of appointing a counsel, and told him the committee were prepared to pay his counsel, any one he might name, and he declined to do it. My hon. friend is attempting to rely upon his astuteness in order to create an impression outside.

Mr. CROTHERS. Is Mr. Lumsden the prosecutor in this case?

Mr. MACDONALD. Certainly, he is the man who made the charges. If my hon. friend means as prosecutor the man who made those charges which initiated these proceedings, Mr. Lumsden is the man who made those charges which a committee of this House was appointed to investigate. They have called before them Mr. Lumsden, who made those charges, and have told him: If you wish to appoint a counsel we will pay him. Mr. Lumsden says: I don't care to have counsel, and we have gone on as I have shown. Time and again we have endeavoured to get our hon. friends to agree upon a counsel, and they would not agree to it.

Mr. MEIGHEN. Will the hon. gentleman tell us now who are being prosecuted?

Mr. MACDONALD. My hon. friend will hear what I have to say on that matter as I go along. I am for the moment dealing with the question whether what occurred in regard to the appointment of counsel in the McGreevy case, is a precedent for my hon. friends opposite. They are attempting to find a precedent here. Let us see what took place. When the government of Sir John A. Macdonald came to act, what did they do? I want hon. gentlemen to recall the difference between their attitude and the action of Mr. Tarte, who came with Mr. Geoffrion as his counsel on May 15 at the inception of the investigation. Mr. Tarte, having made his charges in the House, and they having been referred to a committee, he came there to prosecute them, and he had his counsel with him. On May 26 the committee again met, and that is the first time that the government appear in regard to the matter. What transpired then? Sir John Thompson moved:

That the following gentleman be heard before the committee as counsel: H. McD. Henry, Q.C.

To represent the people, forsooth?—and this is the first occasion in this committee upon which the government is heard from. H. McD. Henry, to represent the people?—not at all, but to represent the Public Works Department.

Mr. BARKER. But Mr. Tarte had previously brought his counsel there.

Mr. MACDONALD. Of course, my hon. friend knows that. I have just told him

that on May 15, Mr. Tarte, at the inception of the committee, came there to prosecute the charges that he had made and he had his counsel with him to look after his interest. He appeared before this committee, and the committee granted leave for Mr. Geoffrion to appear as counsel. At no stage in the proceedings did the government propose to appoint counsel for the people. But when the government did move, on May 26th, they did not move at all that counsel be appointed to represent the people, but that Mr. H. McD. Henry, Q. C., be appointed to represent the Public Works Department. Was there any suggestion, throughout that whole inquiry, of the government, or any of its representatives on the committee, moving for any counsel to represent the people?

Mr. BARKER. No, because counsel had previously been appointed.

Mr. MACDONALD. Because counsel had been appointed to represent Mr. Tarte, and not to represent the people. My hon. friend is quibbling, and he knows it. But he is not going to deceive anybody in this House. He may deceive some of his party friends outside, who wish to be deceived, but nobody in this House is going to be deceived. Then, later on, Mr. B. B. Osler, Q. C., came into the matter. We have heard some suggestions in the press outside about Mr. Osler and Mr. Henry acting for the people. My hon. friend has got a new version of the story in which he is trying to make out that Mr. Geoffrion was acting for the people when, as a matter of fact, he was acting for Mr. Tarte. Who were Mr. Osler and Mr. Henry acting for? I have shown that Mr. Henry acted for the Public Works Department, and later, on June 24, Sir John Thompson moved that Mr. B. B. Osler, Q. C., be heard before the committee, as counsel, with Mr. Henry, Q. C., for the Public Works Department. That is the position which these gentlemen occupied before that committee. My hon. friend says that it was Mr. Geoffrion who acted for the people. The Tory papers outside say that it was Mr. Osler and Mr. Henry who acted for the people. We find that Mr. Osler and Mr. Henry acted for the Public Works Department.

Mr. LANCASTER. Does the hon. gentleman say that Mr. Tarte's charges were not in the interest of the people?

Mr. MACDONALD. Oh, my hon. friend need not think that I am so very fresh as all that. My hon. friend knows that if the hon. member for South Simcoe (Mr. Lennox) had made those charges in this House, and if he had gone before this committee and asked for counsel to represent him, counsel would have been appointed by the committee, as a matter of course. My hon. friend knows that if he had gone to the committee and asked to be assigned counsel, having assumed the responsibility of making charges, the committee would have given him counsel. But when nobody has the responsibility of making charges either here or elsewhere, when hon. gentlemen are unwilling to attach to their names the responsibility of making one charge against this government, and when we find that the gentleman who does make the charge that the government themselves sent to be investigated, says that he does not want counsel, these hon. gentlemen come in and say that they will not sit upon that committee because Mr. Lumsden would not appoint counsel. I have analysed the occurrence of 1891, and I have shown conclusively that what occurred at that time was that Mr. Geoffrion was not appointed by the committee, but was the private solicitor of Mr. Tarte, who took him before the committee as his counsel, that he was accepted by the committee, and that Mr. Osler and Mr. Henry, who were said to represent the people, had been appointed by a motion of Sir John Thompson, to represent the Public Works Department. I do think that, as a professional man, the hon. gentleman's reflections upon Mr. Chrysler were most unfair. I know Mr. Henry, who was subsequently Judge Henry, very well, and my hon. friend the leader of the opposition (Mr. R. L. Borden) knows him too. He was a splendid lawyer when in the enjoyment of his health. He was a Conservative candidate in the city of Halifax a short time before this against my hon. friend the Finance Minister, and he was defeated. He had budding ambitions in the Conservative party. I do not recall that anybody in that province urged that the inquiry was going to be unfair because Mr. Henry occupied that position, and I hardly think it was worthy of hon. gentlemen, members of the bar, to make the statements they did make in regard to Mr. Chrysler, whose reputation in this country is unquestioned, and whose status as a professional man is beyond reproach. It is not more than two weeks ago since the city of Winnipeg had that gentleman appear before an important committee of this House to represent them in regard to their interests, and it can hardly be said that a man who has had the important responsibilities before the Supreme Court of Canada and the Privy Council which Mr. Chrysler has had so repeatedly, and who is known by the bar of this country as a man against whom no imputation can be made, would violate his oath as a barrister and throw away all his great professional reputation in order to play a miserable little political game. But this is a diversion. I have shown that the precedent which my hon. friend has endeavoured to find is no precedent at all, in support of his contention, but entirely the contrary.

Mr. R. L. BORDEN. I would like to ask my hon. friend whether there was not a counsel in 1891 who was selected neither by the government nor by the majority of the committee; that is Mr. Geoffrion?

Mr. MACDONALD. He was selected by Mr. Tarte.

Mr. R. L. BORDEN. He was not selected by the government or by a majority of the committee.

Mr. MACDONALD. Or by any portion of the committee; neither the majority nor the minority.

Mr. R. L. BORDEN. What counsel is there in this investigation who corresponds with that position?

Mr. MACDONALD. I am surprised at the leader of the opposition; he knows very well that Mr. Lumsden occupies the position that Mr. Tarte did; that if Mr. Lumsden had come to the committee and said: 'I want counsel,' counsel would have been appointed, but he said he did not want counsel. I was proceeding to show what course the majority had adopted in regard to this question.

Mr. R. L. BORDEN. Is there any counsel corresponding to that in the investigation now proceeding?

Mr. MACDONALD. My Chrysler is performing the duties of prosecutor in this matter.

Mr. LENNOX. Instructed by the defendants.

Mr. MACDONALD. Instructed not by any defendants. My hon. friend has said what is incorrect, and he has no warrant for making that statement whatever.

Mr. LENNOX. I stand by it.

Mr. MACDONALD. He is instructed solely and only by Mr. Lumsden. Mr. Lumsden told us that he had given his full confidence to Mr. Chrysler, and that he had given him all information necessary to conduct the investigation. What are the facts in regard to this question of counsel? The very day the committee met the question as to what should be done in regard to the appointment of counsel was discussed and my hon. friend from West Elgin (Mr. Crothers), who is a very ingenious gentleman, undertook to make an argument to show that my hon. friends and myself took the position that the commission was not a party to this matter, and that, therefore, we thought that Mr. Smith, who came there as counsel of the commission, was a man who would represent the people. My hon. friend was hardly fair in the quotation which he read in regard to my remarks. When I interrupted him in the course of his speech and asked him to read it all, he omitted to read the remark of the hon. member for South Simcoe.

Mr. CROTHERS. I did not; I read it.

Mr. MACDONALD. I will show you what you did read, and what you did not.

Mr. CROTHERS. I read what you asked me to read.

Mr. MACDONALD. This is what occurred:

Mr. LENNOX. He speaks about a certain number of engineers, the commission is responsible for the class of engineers that they employ, to employ competent and honest engineers. The commission may be able to show that they are absolutely blameless in this matter.

Mr. MACDONALD. The commissioners are not on trial here, and there is no use in your saying so.

This is what my hon. friend omitted.

Mr. LENNOX. I have not said so.

Mr. LENNOX. That is true.

Mr. MACDONALD. So that my hon. friend (Mr. Lennox) took the position that he had not said the commissioners were on trial or were a party to the investigation.

Mr. LENNOX. I said that up to that time I had not specifically stated that the commissioners were on trial. When my hon. friend (Mr. Macdonald) said the commissioners were not on trial and there was no use in my saying so, I said: I have not said so, but I proceeded to point out the position they were in.

Mr. MACDONALD. The material point I wanted to make there was that my hon. friend (Mr. Lennox) had followed up my statement by saying that he never had said the commissioners were on trial, and when I asked my hon. friend from Elgin (Mr. Crothers) to quote what my hon. friend (Mr. Lennox) had said, he omitted to quote that statement of Mr. Lennox.

Mr. CROTHERS. I beg your pardon; I understood you to ask me to read what Mr. Lennox had said which led up to your statement, and that I read. Of course, I may have misunderstood you. Before I sit down I would ask my hon. friend to read the next remark of Mr. Lennox.

Mr. LENNOX. And my next remark after that?

Mr. MACDONALD. Certainly. It is possible my hon. friend Mr. Crothers was mistaken as to my request, although he surely must have seen the significance of reading that part where Mr. Lennox said that he never said the commissioners were on trial.

Mr. CROTHERS. I see no significance in it.

Mr. MACDONALD. You don't?

Mr. CROTHERS. No, I read the significant part of it.

Mr. MACDONALD. Oh, very well. Then I said to Mr. Lennox as appears on page 11:

Mr. MACDONALD. You say they are responsible?

Mr. LENNOX. It will be just as well for us to give each member of the committee the privilege to express his ideas in his own way. Mr. Macdonald usually claims that privilege to himself and I will take the same liberty.

He was not in very good humour that morning. Then I said:

Mr. MACDONALD. That is so, and I hope I am not interfering with the expression of your views in that way, but when you say the Transcontinental Commission is on trial here I say they are not.

Then Mr. Lennox said:

Mr. LENNOX. I have not said that.

He repeated what I had said that he did not state the transcontinental commissioners were on trial, and he continued.

—but I repeated it that when Mr. Lumsden said a number of the engineering staff had disobeyed his instructions, and that a wrong classification exists, it is a reflection upon the manner in which this railway is constructed.

Mr. CROTHERS. Will my hon. friend allow me?

Mr. MACDONALD. Now, I am not on the witness stand. My hon. friend (Mr. Lennox) certainly stated that the commissioners were not on trial and that is the important point I was endeavouring to make, and the hon. gentleman repeated it twice.

Mr. LENNOX. Now, if my hon. friend will oblige me by reading the conclusion of the sentence so as to make it complete.

Mr. MACDONALD. I will gratify my hon. friend. He went on to say that the commissioners were responsible and they being responsible the government was responsible, and that the government side was represented by Mr. Smith and that the public interest was not represented. But the case made by hon. friend from Elgin (Mr. Crothers) was that he inferred because I made the statement—and I will not discuss now whether I was right or not—that I was taking the position that Mr. Smith represented the public. That position I never took because, if my hon. friend will turn to page 14 of the evidence he will find that in answer to Mr. Lennox I said:

Mr. MACDONALD. Mr. Lennox, I am prepared to vote with you for everybody to have counsel so you need not argue that point.

Mr. CROTHERS.

That was our position on the very first day. We were perfectly willing that everybody affected should have counsel, but later on I said:

Mr. MACDONALD. Again, I say that you are arguing about something that nobody is objecting to, everybody is perfectly willing to have counsel.

So, at the very inception of the case the action of the majority of the committee was that anybody affected in any way should have counsel and that there should be independent counsel for the prosecution. We took that position and we followed it up at the next meeting of the committee after Mr. Lumsden had made his statement of what his position was by making a motion which will be found at page 76:

Mr. MACDONALD. Consequently, as I am sure that all that anybody wants in this matter is to find out what Mr. Lumsden is talking about, and find out whether there was anybody that he had any right to lose confidence in, and we ought to have all the facts before us, I propose to move: That this committee apply to the House for permission to arrange for counsel for the committee in investigating the matters referred to us for consideration.

Then, my hon. friend (Mr. Lennox) was perfectly in agreement with that proposition.

Mr. LENNOX. Just read what I said.

Mr. MACDONALD. I am going to. My hon. friend had no notion of leaving the committee then, and he said:

Mr. LENNOX. One step at a time is good, I think.

And referring to my suggestion he said:

That is right, I think, as far as it goes.

So that he agreed with me up to that point, and he said that my resolution was right. Then I said to my hon. friend (Mr. Lennox) in order to emphasize the matter, and so that there might be no doubt about it:

Mr. MACDONALD. Is there anything else you can suggest?

Here was the position of the majority of the committee asking leave of the House to appoint counsel, and having gone so far to satisfy my hon. friend (Mr. Lennox) I asked him was there any thing else he could suggest, and he said:

Mr. LENNOX. I don't think there is anything else we should consider at this stage.

And here it is, that these gentlemen who were so badly used that they left the committee because they were not given the right to appoint counsel; here was my hon. friend (Mr. Lennox) giving me commendation for my action, of which I was proud, and even my hon. friend from Elgin (Mr. Crothers said:

Mr. CROTHERS. I am perfectly prepared to agree with everything Mr. Macdonald has said. I think he has covered the ground well.

So that on the 23rd of February the action of the committe had the full concurrence of these gentlemen, and every thing that had been done up to that moment had been endorsed by my hon. friends opposite. Then, came the strange, and sudden, and peculiar change within two hours, and I can only account for the changed attitude of my hon. friends opposite between one o'clock, when we adjourned up stairs, and two o'clock when we met here, by their having received some inspiration of a very improper kind from some source. To our intense surprise the hon. member for Simcoe (Mr. Lennox) came into this House about two o'clock, and moved that this resolution which he had stated in the committee was all right as far as it went, should be amended, and he asked that the House should accord to him, and his friends, the peculiar, anomalous, and unprecedented privilege of appointing the counsel. They did not suggest this in the committee; no one had heard of it before they launched it in the House. The House declared that they should not have that privilege, and en passant I might say, it is questionable whether all this discussion is not out of order, it having been thrashed out before. But, my hon. friend (Mr. Lennox) and his friends came back to the committee after the House told them they would not agree to let them have the appointment of counsel. They came back next day, and we had a friendly and informal talk about who should be the best man to appoint as counsel. It was intimated by all of us on the majority of the committee, that we were not tied to any name, that we were anxious to appoint a counsel with a reputation, and a position at the bar, so that no matter what his politics might be, there would be ample guarantee to the House, and to the country, that on his professional reputation he would be bound to elicit the fullest information. And, my hon. friends were frank enough to agree with us that that was a fair proposition, and on page 84 we had this discussion about that:

Mr. LENNOX. Here is what you can do. If you cannot think of a suitable Liberal counsel—you say you have not any one in your mind—could you not think of some prominent and distinguished Conservative counsel whom you could suggest, and maybe we would fall into line at once.

Mr. CLARKE. Somebody who is non-partisan; that is what we want. We don't care about any particular party affiliation.

Mr. LENNOX. For instance, if we had a man of the type of Christopher Robinson in his old days, I think we could agree, of course, on a man of that kind, but they are not very plentiful, and I cannot say that I could think of another man.

The result is that on the 24th of February my hon. friend (Mr. Lennox) was not contending for the principle that the minority should have the appointment of counsel.

Mr. LENNOX. I beg my hon. friend's pardon.

Mr. MACDONALD. That is certainly what that language means.

Mr. LENNOX. I beg my hon. friend's pardon. Not only that, but I made it perfectly clear, and the chairman had practically agreed to it, and I can give the reference.

Mr. MACDONALD. My hon. friend was in a very amiable frame of mind that day. He, and his colleagues, had forgotten the fact that they had been asserting the principle that they should have the right to name the counsel, and he said very frankly and very naturally that if Christopher Robinson was alive, of course, they would all agree to him.

Mr. LENNOX. Will my hon. friend allow me to call his attention to the sequence of events? I argued for a length of time that the committee should allow us the privilege of naming the counsel, and in the end the chairman said:

I think the committee is ready to take your suggestion, and if you will appoint a man who has the general confidence of the country as a lawyer, I think we will be ready to accept him. Of course, we do not want to agree before we know the name. We want to be the judge. We are lawyers, and know the standing of lawyers in the country.

Then it was suggested that two gentlemen should confer together, and we had this informal discussion in reference to what these two gentlemen would do when they got together.

Mr. MACDONALD. My hon. friend might have spared us that little speech, because there was nothing in it that was not agreed to. I was pointing out that this informal discussion occurred before the minority had agreed to the appointment of this sub-committee, and my hon. friend said that if Christopher Robinson was alive we would of course agree on him. My hon. friend from Hamilton and I were appointed a sub-committee to name counsel. I am stating these facts to show that our hon. friends had gone back on the principle they asserted before, that they should have the appointment of counsel, and were willing to confer amicably with us to get a man who would have the confidence of the country. My hon. friend from Hamilton and I met. He proposed certain gentlemen and I proposed certain gentlemen. I suggested the name of Mr. Nesbitt, a former judge of the Supreme Court. After we had talked over names, my hon. friend from Hamilton, after the lapse of about a week,

finally came back to the position that he would not agree with me on the selection of a man because he and his confrers wanted to control the appointment. He very frankly to-day said the same thing, so that there is no dispute as to that fact. Our hon. friends seemed to settle down to the position that if they could not have the appointment of counsel, they would not play any more. I ventured to say that they were playing the baby act, and they have been playing it ever since. To say that a man occupying the position of Wallace Nesbitt, a former judge of the Supreme Court of this country, a man acknowledged to be one of the leaders, if not the leader of the bar of this country, and a Conservative, was not a man to whom they could trust their interests or the interests of the people in this investigation, is too absurd to listen to for one moment. My hon. friend from Simcoe took the position to-day that because Mr. Nesbitt had given an opinion as to what the specifications meant, that did not mean that he should be in any sense disqualified for acting as counsel.

Mr. BARKER. Why did Mr. Nesbitt refuse the retainer you offered him? Was it not because he had given that opinion?

Mr. MACDONALD. In my opinion the statement made by Mr. Nesbitt in regard to the meaning of the specifications was not the reason for his refusal. In my judgment the reason he refused was because he was not the unanimous choice of the committee. I have no doubt whatever that if he had been the unanimous choice of the committee, he would have acted.

Mr. BARKER. I understand that Mr. Nesbitt refused to act on the ground that, having given that opinion, he was disqualified to receive any brief from a portion of the committee.

Mr. MACDONALD. My hon. friend is speaking from private information of which I know nothing. I am speaking of the letter which Mr. Nesbitt addressed to the committee; and this afternoon, when I asked my hon. friend if he would undertake to say that the mere technical construction of No. 36 of the specifications and the opinion given by Mr. Nesbitt upon that, was a pronouncement on the merits of these charges made by Mr. Lumsden to such an extent that it would be impossible for him to act as counsel to bring out the facts alleged by Mr. Lumsden, my hon. friend would not say that that was the issue. My hon. friend knows that the construction of those specifications was not the issue particularly. If it was, then we have Judge Nesbitt pronouncing against all the assertions of our hon. friends. If their contention is correct and the opinion given by Judge Nesbitt was such as to prevent him acting as counsel, then our friends are out of court. Because one of their leaders in the province of Quebec, Sir Alexander Lacoste, as well as Donald Macmaster, Mr. Shepley, Mr. Beaudin, Mr. Lafleur, and Mr. Charles Ritchie gave an opinion as to the meaning of these specifications along the same lines as Mr. Nesbitt, not as a matter of legal construction, but as a matter of mere grammatical construction, do they say that that would in any sense impair or interfere with the performance of their duty in carrying out an investigation into the allegations made by Mr. Lumsden?

Mr. LENNOX. It certainly would.

Mr. MACDONALD. The hon. gentleman did not say that this afternoon.

Mr. LENNOX. I say it utterly debarred these gentlemen from acting as counsel in this matter.

Mr. MACDONALD. Then my hon. friends would have difficulty in convincing their friends of their case if Sir Alexander Lacoste has given the opinion that Mr. Lumsden was wrong. Will my hon. friends undertake to say that was not Sir Alexander Lacoste's opinion?

Mr. BARKER. I take the position that any person who gave an opinion on the question of the classification under these contracts, whatever the opinion was, would not be a proper counsel to conduct this investigation.

Mr. MACDONALD. My hon. friend is evading the question. I asked my hon. friend whether the question of the construction of these specifications was the issue, and he evaded the question. If these hon. gentlemen will not say that it was the issue, then they know that Mr. Nesbitt was not disqualified. Mr. Nesbitt and the other gentleman who gave an opinion as to the meaning of the specifications, did not know at the time that Mr. Lumsden was going to declare two years afterwards that he had lost confidence in his engineers. Both the hon. member for Hamilton and the hon. member for Simcoe declined to say that the question of the meaning of the specifications was the issue in trial in this investigation.

Mr. LENNOX. I do not decline anything of the kind. I say that the specifications have been made a question at issue in this investigation, and the whole trend of the examination by Mr. Smith for several days has been to bring in again the construction to be put upon those three items of the specifications.

Mr. MACDONALD. Then I understand that my hon. friend at last comes down to the point of saying that they are an issue in this matter.

Mr. LENNOX. You have made them the issue.

Mr. MACDONALD. My hon. friend will find that I have not asked one question that led up to this matter at all.

Mr. BARKER. Will the hon. gentleman tell me what was the object of putting Mr. Nesbitt's opinion in as evidence in this Lumsden case?

Mr. MACDONALD. I will accept whatever proposition my hon. friends make. If they say that Mr. Nesbitt's opinion is material, then they are in this position, that Mr. Nesbitt, Sir Alexander Lacoste, and all these other distinguished gentlemen, have given opinions which indicate that Mr. Lumsden was entirely incorrect in his opinion of the specifications; and all these distinguished Conservatives outside of this House have given opinions on this question which materially disagree with the position taken by our hon. friends opposite, who have discussed this question this afternoon. If, on the other hand, they say that these opinions are not material, or that the specifications are not a part of the issue, then it would not do to say that Mr. Nesbitt was disqualified on that account. However, whether Mr. Nesbitt should act or not was a question of professional taste, and he has settled it. On what grounds he settled it I know not. But I want to point out that our hon. friends did not run away from the committee because Mr. Nesbitt had given this opinion. If they had come to the committee and said: You have made a wrong selection in appointing Mr. Nesbitt because he gave an opinion, and we cannot support his appointment, then they would be logical. But they did not want Mr. Nesbitt; they were not going to have him, whether he had given an opinion or not. The position they took was that they were going to appoint the counsel. The gentleman we selected, Mr. Nesbitt, they did not object to because of any lack of qualification on his part. Mr. Nesbitt is a distinguished jurist, a very clever lawyer, and a man of unblemished reputation. That he had these qualities they all admitted, but they said: That makes no difference, we want to appoint a man ourselves. In fact, they had made up their minds to withdraw. They took no objection to Mr. Nesbitt personally, but they evidently did not want him nor did they want a man like the late Mr. Christopher Robinson, though my hon. friend from Simcoe (Mr. Lennox) says they did.

Mr. HARTY. He is dead.

Mr. MACDONALD. And as my hon. friend from Kingston says, he is dead. Mr. Nesbitt is one of the leaders of the bar of Ontario——

An hon. MEMBER. And a good Tory, too.

Mr. MACDONALD. But they were determined not to be pleased, no matter what might be done. This only shows that my hon. friends left this committee, not because they did not have the appointment of the counsel—for they never had any warrant according to parliamentary practice or precedent for expecting any thing of the kind—but because they felt that they were in trouble, and they were looking for an excuse to get out of it. I have no desire to detain the House at greater length, because I have already talked too long, but I wanted to point out that, so far as the majority of the committee is concerned, we acceded to the proposal of the minority that counsel should be employed. We asked them to name counsel, and we discussed with them, in the frankest way, the appointing of counsel, but they took the position that they would not accept anybody whom we might appoint, but they wanted to name the counsel themselves. We replied that that was an impossible position for them to take, and nobody knew it better than they. I shall not trespass further upon the time of the House. The committee is proceeding with its task to the best of its ability, and we have a counsel, Mr. Chrysler, to whom my hon. friend from Simcoe (Mr. Lennox) has referred in a manner which, on reflection, I am sure he will himself regret. Both of us belong to a profession, which is sometimes jocularly spoken of by those who do not belong to it, and we both ought to stand for its highest traditions and should be ready to recognize the merits of the best men who are in it. We who come from the smaller provinces recognize that while in some things the province of Ontario does not take the lead, it occupies, as regards the qualifications of the men who are at the head of its bar, a leading position in this Dominion; and I regretted very much to hear my hon. friend from Simcoe (Mr. Lennox) talk the way he did about a gentleman occupying the position in the Ontario bar which Mr. Chrysler does, and whose integrity, long experience and ability have given him a leading rank among those who are most prominent in the legal profession of that province. I do not believe that the leaders of the bar of Ontario, I do not believe that such men as Mr. Chrysler, would prostitute their abilities to the achievement of some petty advantage in party politics. I believe that Mr. Chrysler will bring out in this investigation whatever facts it is possible to bring to light. I am sorry that my hon. friends opposite have formed so low an estimate of the duties of the gentlemen who compose a committee such as this. If there be any duty of importance in this House, it is that devolving upon the members of a commit-

tee of investigation to look into the matters at issue with the greatest possible care, and bring out all the facts to the light of day. True, we all have our party predilections, but I would be sorry to think that any one in this House would be willing to sacrifice his ideas as to what is right and proper in order to gain a miserable poltical advantage. On behalf of the majority of this committee. I submit that we are endeavouring to carry out the task allotted to us to the best of our ability, and with the sincere desire that, if there be any wrongdoing, it may be brought to light. Who cares, from a political point of view, if there have been engineers, who, out in the northern wilds, have made wrong classifications?

Sir WILFRID LAURIER. Hear, hear.

Mr. MACDONALD. A good many of them are friends of hon. gentlemen opposite. Do they mean to say that the position of this government will be affected in the slightest degree if it be shown that a certain resident engineer somewhere in northern Ontario has wrongly classified common excavation as rock cutting. The desire of this government, I take it, is that, if there be anything of the kind, it should be shown, and that if any engineers have been guilty of wrongdoing, they should be dismissed at once.

Mr. A. MEIGHEN (Portage la Prairie). The hon. gentleman who has just taken his seat (Mr. Macdonald) may congratulate himself on the ingenuity with which he evaded a great number of questions put to him by this side. Some of them he evaded by a method he has cultivated for many years, and others he evaded by answers, the transparency of which are only too apparent to every member of this House. Still others he evaded by promising to reply later on and then forgetting to do so. More than once in his speech I asked him, after he had said that the prosecutor was Mr. Lumsden, to be good enough to tell the House who the prosecuted was.

Mr. MACDONALD. If my hon. friend will permit, what is it he would like to know?

Mr. MEIGHEN. I do not know why the hon. member rose, if he does not understand what I want to know.

Mr. MACDONALD. I understood my hon. friend (Mr. Meighen) was asking me a question in the course of the remarks I was making—and I intimated that I would speak to the point—as to the persons who were charged in this case.

Mr. MEIGHEN. The hon. member stated who the prosecutor was in the investigation. I asked, who was the prosecuted?

Mr. MACDONALD. So far as appears from the reference to the committee, Mr. Lumsden stated that he had lost confidence in certain of the engineers. He has given us the names of these engineers, and certain information in regard to the conduct which caused him to lose confidence in them. I should imagine that among the people against whom the charges are made are these engineers. In his statement, Mr. Lumsden made no reflection at all upon the commissioners.

Mr. MEIGHEN. The hon. member (Mr. Macdonald) having stated that the prosecutor was Mr. Lumsden was, in logic, compelled to say that the prosecuted was the engineers. If it was possible for this House to bring itself to such a conclusion as that, we may, with patience, listen to the arguments of hon. members opposite. If a committee of this House is to be appointed at the suggestion of the Prime Minister to investigate a point in dispute between one employee of a public commission, and those employed under him, then, as I say, we may possibly listen with patience to the argument. But I do not understand that the status of a committee of investigation of this House is merely to inquire into a quarrel between certain employees of the government. If this came down to a mere dispute concerning classifications between Mr. Lumsden, and his sub-engineers, I should say that the proper parties to investigate were the parties regularly appointed by the authority of this House, and not a special committee appointed at the suggestion of the Prime Minister. Surely, we can trust Mr. Lumsden to investigate questions of lack of skill, or care, on the part of the employees under him; we need no committee of this House to look into such matters as that. I would like the hon. member (Mr. Macdonald) to give this House a precedent for the appointment of a committee of this House to investigate a quarrel between civil servants of the government. If the government are not implicated, if members of this House are not implicated, where is the precedent for the appointment of such a committee? There was a commission appointed by this House—not a committee of this House, but a commission from outside—to investigate the Civil Service. This is one commission—let me say in answer to the hon. member for South Essex (Mr. A. H. Clarke)—that members on this side do not consider a farce. The precedent of appointing a commission of that sort has not been repeated by hon. gentlemen opposite, and I venture to say never will be. But to say that a committee of seven members of this House are to sit at a cost of $1,000 a day merely to discuss the merits of a quarrel between an engineer and his sub-engineer, the facts of which do not go beyond these officers, is to talk what I must regard—and what every man in this country will regard—as arrant

nonsense. There can be no question, and the people of the country, so conceive it, that the prosecutors in this case are those concerned in the success of the investigation, those represented by the opposition in this House, and that the parties defendant in this case are the commission appointed by the government, and through them the government itself. You may cloud the issue as you like, but that is how it is regarded in the country, and no man who wants to be fair, and to talk common sense will say anything else. We must consider that the parties who are charged—by whom they are charged may be another question—and who are in the position of defendants, are the Transcontinental Railway Commission, and through them the government, because on no other basis can logic or common sense be claimed for the appointment of a committee of this House to investigate.

Another question that the hon. member (Mr. Macdonald) did not answer is this: Why did he and his confederates on that committee decline to accept the counsel nominated by the opposition members there? He knows better than to try to answer that question. Should he give the first answer that might occur to him, he would say that this gentleman was not competent counsel. But, were he to say that, he would be laughed at. The country would say: Cannot we trust those whose political fortunes are bound up with the success of the investigation to appoint the most competent counsel they can find? Were the hon. member to answer that this gentleman was not a Liberal, he would be laughed to scorn; if he were to say that he was a Conservative, the error would be equally apparent. So, the hon. member cannot answer the question, and until he answers it to the people of this country he cannot defend the position of the committee or show that they were anxious to have a thoroughly useful investigation.

Now, if the hon. gentleman even appeared to make a point in the whole course of his speech, it was when he said that he could not find, in the course of British or Canadian history, a precedent for any powers whatever devolving upon the minority of a committee. Now, I had not intended to take part in this discussion, when it opened, consequently I have not had time to look up precedents. Only one precedent has been mentioned on either side of the House in this debate; there is only one parallel case brought to the attention of the House; and, if there is one thing clearer than another emerging from this discussion, it is that that precedent is absolutely on the side of the members of the opposition. Some years ago, a committee of investigation was appointed by this House to consider certain charges against members of the House. On what side were the people in that investigation? It was to the interest of the people that these charges be thoroughly probed. The people were represented by Mr. Tarte, a member of this House. The interests of the people were analogous to the interests of Mr. Tarte; the two were inseparably bound up. When Mr. Tarte appointed his counsel, that counsel was necessarily counsel for the people. Now, Mr. Tarte in that case, occupied a position exactly similar to the minority of the committee in the case now before us. The party concerned with the success of the investigation, the party analogous to the prosecution, were represented by Mr. Tarte. The party analogous to the defence were represented by those in this House charged by Mr. Tarte. Both had counsel in that case; only one had counsel in this case. Who are the parties in the present case identified with the success of the prosecution? Who are the parties in this case whose political fortunes, to an extent at all events, are bound up with the thoroughness of the investigation? Why, the opposition members of the committee. Yet, there is absolutely no counsel to represent them. There cannot possibly be counsel to represent the people. On the other hand, the members of the Transcontinental Commission and the government are arm in arm with counsel, they are surrounded with counsel at every point. Mr. Smith is counsel for the commission, he is counsel for the defence, he is also counsel for the government. Then there are the four counsel on the committee, there is the counsel who represents the contractors, and the contractors are interested in securing the very same verdict that the four members of that committee are interested in securing; consequently the counsel who represents the contractors is also arm in arm with the government. There is also the counsel for the sub-engineers, I understand that there was one there to represent them, and he is arm in arm with the government too, because the only verdict of that committee that can possibly suit the engineers is the very verdict that will suit the government members of the committee. All these counsel are retained to secure one end, and one alone, they are all working for the same goal, they cannot be otherwise true to their clients. And now, as if to heap injury on insult, they appoint Mr. Chrysler, who is the nominee of the four government members, and who, to put it in the fairest possible way, is not concerned solely to secure a successful and useful result to that investigation.

Now, the hon. gentleman who has just taken his seat complained bitterly that we on the opposition side of the House have had so much to say of the enormous cost of the Transcontinental railway. I sympathize with that hon. gentleman. I can understand that he, as a member of the

government party, as well as every other member of the government party will always be seriously alarmed whenever this question of the cost of the Transcontinental railway comes up. It appears to get worse as time goes on, and I do not think the people can hear too often of what has taken place, and of what is taking place in regard to the construction of that railway, when there is an addition to the cost of one hundred millions, an addition sufficient to take care of the public works of this country for years to come, an addition to the cost of a sum of money that equals $12 or $13 for every man, woman, and child in Canada, an addition to the cost that is accounted for by only one of two things, either by worthless and fraudulent estimates given by the government, or their engineers when the matter was first entered upon, or by the worthless, and fraudulent classification which has taken place in the interest of the contractors, and through them perhaps in the interest of others. Now, the situation is surely serious enough to demand a serious investigation; and whether there were a precedent or not in British or Canadian history, if the members of that committee were really desirous of prosecuting these charges with a view of ascertaining the cause of this enormous increase, it was their duty to pay no attention whatever to precedent, but to take their position on the side of the people, to coincide with the wishes of the opposition. I affirm that there is no man in this country, if he will put aside for the moment party considerations, so foolish as to say that the interests of any prosecution, or of any defence are best conducted when they are not most closely identified with those interested in securing the success and thoroughness of that investigation. It was a matter of minor consideration whether there were precedents or not, the end to be attained was the great consideration, and as I said before, every principle of common sense, every principle of law should have led every member of that committee to place himself in unison with the principle that you could not too closely identify the conduct of an inquiry with those interested in securing its success.

Now, Sir, I want to refer to a matter which, although I must confess is not absolutely in point of the discussion, still it serves the purpose of bringing before this country the direct association of this government with the wrongs of the Transcontinental railway. I want to point out two or three things before I sit down. In 1903 this House, in its wisdom, laid down a plan whereby this matter of over-classification was to be investigated, and decided upon, they laid down the plan of arbitration free and untrammelled, and to a large extent they determined that that plan should be followed in the event of dispute. They placed very few limits on the method of arbitration, or on the manner of it. But we had the spectacle some four years afterwards of the Minister of Railways, and the Transcontinental Commission conspiring together to limit the methods adopted by this House for conducting that arbitration. The Transcontinental Railway Commission, on the 10th of January, 1908, of their own motion, deliberately set to work to confine within limits which this House never contemplated, the powers of that Arbitration Board. The Minister of Railways, when this matter was under discussion last fall, admitted on the floor of parliament that he was a party to that alteration, and that it was done at his instance. By the way, Sir, my experience has led me to this conviction, that whenever a speaker in this House reaches the proud position of attacking the Minister of Railways, that hon. gentleman will be found engaged in a forced sleep, because I have always observed that when a discussion is unusually hot, that is the attitude which the Minister of Railways assumes. Now, not only did he by that memorandum, limit the method, and limit the principle of arbitration as they had been laid down by this House in 1903, but for two long years that commission, which should have represented the people of this country, and guarded their interests, were struggling with the officials of the Grand Trunk Pacific to enforce that unwarrantable limitation of the Arbitration Board; for two long years, during which the evidence was dying out, during which witnesses were disappearing, during which the evidence that could have been adduced earlier was being wiped away by time, for two long years that struggle went on, the Grand Trunk Pacific on the one hand struggling with the Transcontinental railway Commission for the full and free investigation as determined and outlined by this House, and the Transcontinental Commission struggling pertinaciously on the other side. Now, was not that a melancholy spectacle? Is not that something for the people to consider, that those who were appointed to guard their interests, were struggling against their interests, and against the intent and meaning of an Act of parliament?

Not only were they doing so, but they were doing so with the tacit and expressed approval of the Minister of Railways and Canals himself. The struggle went on unceasingly and bitterly, and it did not end until, by the union of the skill of the Minister of Railways and the Minister of Public Works some change suddenly came over the scene. There is only one thing unexplained by the report brought down in connection with that struggle. One thing not explained is that we find that when

the angelic presence of one member of the government, the Minister of Public Works, floated over the scene, peace suddenly ensued. He seemed to have the effect of the twin stars, as celebrated by Horace, on the stormy sea. The winds fell, the waves were stilled and the turbulence that surged over the waters existed no longer. Why that was it is impossible to conceive, but we must remember, in trying to reach a solution, that there was one way of appeasing the Grand Trunk Pacific Railway Company. There was a method of appeasing the Grand Trunk Pacific Railway Company that must appear to any one who thoroughly studies that report. The Grand Trunk Pacific Railway Company appear in a double capacity. They appear in the capacity, in the first place of lessors of the road later on and as such interested in its cost, but they are also in the capacity of contractors on many portions of the line. In one capacity they are interested, to a 3 per cent extent, in keeping down the cost, and in the other capacity they are just as interested in keeping up the cost. In seeking for an explanation of the sudden peace that came over the storm we must remember that. It is only right to remember that. It does not show a suspicious mind; it only shows that a very possible explanation is to be found there. Whether it existed or not we do not know. The fault I find with the government is that they have refused such an investigation as would ascertain what the real cause was. They confined it within limits that were absurd, and that is the charge which they must answer for before the people of this country. Had they assisted in an investigation that might have been useful within its terms we might have been able to trace the connection, if there were any, between the ills that were perpetrated in the construction of this road and the government which was in charge supposedly on behalf of the people. The hon. member for South Essex (Mr. Clarke) closed his speech with a homily on the difference between a quitter and a server. I could not help but think that he was more anxious to bring in a joke about the white feathers that he saw on a crest than to teach any useful lesson to the House. But if one has to decide whether he is going to be a quitter or a server he should first of all come to a decision as to what he is quitting and what he is serving. There is no essential virtue in quitting and there is no essential virtue in serving. I have no doubt that if a man should decide to quit serving mammon he would do well, and the hon. member for South Essex ought to have given consideration to the question as to whether he was serving mammon upon that committee rather than talk about the crests that he saw upon the walls of the committee room. I cannot see what object could possibly have been served by the members of the opposition further remaining there. That committee was a farce and it had no other motive from its very birth. As soon as that was abundantly plain what could these hon. gentlemen do but withdraw from the committee? What purpose could they serve by wasting their energies on the committee any longer? The only thing that might have resulted was that they might have been identified with a report, the farcial character of which is as certain as anything could be certain in any parliament, and there would be no one more surprised than the members of that committee and myself if that report does not absolve the engineers, the commission and the government, just as it was intended to absolve them when the committee was first appointed.

Mr. E. A. LANCASTER (Lincoln and Niagara). I did not intend to take any part in this discussion, but there are some propositions set forth by hon. gentlemen opposite, regarding the duties of members of parliament, that I wish shortly to protest against in so far as I am concerned, so that I will not be understood as in any way assenting to them by my silence. The hon. member for Pictou (Mr. Macdonald) for instance, in the course of his speech, while referring, as a justification of the position of the majority of this committee, to the historical Larkin-Connolly investigation in regard to money that was stolen, or alleged to have been stolen, prior to 1891, declined to answer what I thought was a very pertinent question in regard to the matter that he was then discussing, as to whether the charges made by Mr. Tarte were in the interest of the people. He evaded that answer, but the answer is manifest that unless Mr. Tarte was a hypocrite and a humbug, the charges were made in the interest of the people. The right hon. Prime Minister (Sir Wilfrid Laurier) was in the House at that time, and he got the full benefit of those charges. They helped to get him into power, because they hammered into this country and among the people the idea that the conduct of the Public Works Department was a sample of the administration of the government at that time. He was assisted to take that position because of the uncompromising and absolute honesty of the Minister of Justice of that day, Sir John Thompson, who insisted upon cleaning up what was wrong, whether it was done by Conservative or Liberal. The Minister of Justice of that day was a Minister of Justice in fact as well as in name, and it made no difference to him where the charges came from. He saw to it that when wrong was done, whether by Conservatives or Liberals, it was punished and the whole

force of the government was turned in to probe those wrongs and see that justice was done, not for the Conservative party, not for the Liberal party, but for the people of this great country. The Prime Minister to-day owes a great deal of his success in getting into power in 1896 to the fact that the Minister of Justice of that day was that kind of a man, and saw that charges, when made, were prosecuted to their utmost in the interest of the people. Yet, the hon. member for Pictou declined to tell me whether Mr. Tarte made these charges in the interest of the people. I say that he did. I was not in the House at that time, but I know something about that investigation, because some of the people most concerned lived in the city of St. Catharines. A great many of the witnesses concerned in the case lived in St. Catharines, in the constituency which I have the honour to represent, and I know that witnesses were brought here and that witnesses who tried to escape were forced to come here by virtue of the Dominion police, through the action of Sir John Thompson, to prove the charges, if they could prove them, no matter whose ox was gored, and no matter what party suffered. I say again that the Prime Minister, to a great extent, achieved power by virtue of the conduct of Sir John Thompson, and because of his determination that if charges were made they should be probed, and that if wrong existed, it must be stopped. The hon. member for Pictou attempted to justify the action they have taken in declining to appoint counsel, as suggested by the minority, and I am not here concerned in saying whether the minority or the majority should have the appointment of counsel, but I say that the Prime Minister, who controls every committee of this House, and who has the say as to who shall conduct these investigations, ought to do like Sir John Thompson did, and see that counsel is appointed in the interest of the people.

Notwithstanding the very eloquent argument of the member for Pictou, it is idle for the Prime Minister to pretend that any one is to-day representing the people of Canada in that investigation. Applying the precedent in the McGreevy-Connolly investigation, as there is no counsel to-day appointed by the person who is making the charges as was the case in that investigation, then the government should see to it that a public prosecutor is appointed. Supposing somebody lays an information charging some one or other with a serious crime, and the person who lays the information declines to engage a counsel, is the government to say that because he will not do so, they are not concerned about it? Is not the government the guardian of the public morals of this country? Is the Prime Minister unconcerned about how much money has been stolen on the Transcontinental railway, because—Mr. Lumsden contending that he appears only as a witness—will not take the responsibility of naming counsel? Is the Prime Minister absolutely indifferent as to whether Mr. Lumsden's charges are substantially true or not? Is not the Prime Minister the chief trustee of the affairs of the people of this country, and, if his Minister of Justice will not do his duty, and if the members of the committee will not take the right view, is it not his duty to declare that counsel will be appointed to represent the people? In my humble opinion the Prime Minister is to blame if that investigation is not properly conducted in the interests of the people of Canada. Is this House to be turned into a two-penny-halfpenny court of inquiry to determine a row between engineers in the employ of the government; is there not a far greater principle at stake in this matter? If the superintendent of the Welland canal charges a subordinate with not doing his duty, is a committee of this House to be appointed, and an inquiry instituted at an expense of $1,200 a day to determine such a petty question as that? And yet, it is to such a trivial issue that the Prime Minister would limit this Lumsden inquiry. All the Prime Minister has to do is to put his finger on the button and he can secure that the rights of the people in this matter are properly protected. In my humble opinion the Prime Minister is guilty of dereliction of duty if after what he has heard to-day he does not appoint counsel to represent the people of Canada to prosecute these charges. When Sir John Thompson was Minister of Justice a different course was taken by him, and that course was approved by the Liberal party then in opposition. Is it to be said that a course which the Prime Minister approved of before he assumed office is now to be repudiated by him? I rose, Sir, to enter my protest against such conduct on the part of the Prime Minister and his government, and having done so, I can say no more.

Mr. SPEAKER. I presume, the purpose having been served, the hon. member for Simcoe (Mr. Lennox) will consent to withdraw his motion?

Mr. LENNOX. Yes, Mr. Speaker; it was in deference to what you said that I moved the motion.

Motion (Mr. Lennox) withdrawn.

TRENT CANAL—CLAIMS FOR FLOODING.

Mr. LENNOX. The Minister of Railways promised some time ago that he would investigate the Clarry matter. Has he any information to give with reference to that? I have subpœnæd Mr. Clarry to the Public Accounts Committee to-morrow, and I

would like to know whether the minister will assist me in the prosecution—I mean the investigation.

Mr. GRAHAM. My hon. friend is more anxious for other people to assist him in the prosecution than he is to assist other people.

Mr. LENNOX. I should have said investigation.

Mr. GRAHAM. I sent a member of my staff with full authority to investigate under oath the charges made by the hon. member for Simcoe, or rather the charges contained in documents which he read to the House. I had hoped to have the report of that official to-day, but at all events, I think I shall have it to-morrow or on Monday.

Mr. LENNOX. The minister stated that Mr. Clarry would be paid on the first of April. I have drawn attention to certain facts in connection with Mr. Clarry which, as I am instructed would render it not proper to pay him at present. Does the minister propose to pay him on the first of April?

Mr. GRAHAM. Mr. Clarry is an official of the Department of Justice and not of my department. I imagine that the inquiry must have referred at least incidentally to Mr. Clarry, and if the report shows that Mr. Clarry is innocent of wrongdoing, I see no reason why he should not be paid. However, as to the matter of payment, the Minister of Justice, in whose employ he was, will deal with that.

Mr. LENNOX. I was told that the investigation did not include Mr. Clarry.

Mr. GRAHAM. Incidentally it did, I think.

Mr. LENNOX. We are going on with the investigation to-morrow.

Mr. GRAHAM. I cannot control that.

Mr. LENNOX. Better not pay the money.

Mr. R. L. BORDEN. Is there any particular significance in paying him on the first of April?

Mr. GRAHAM. Except that the suggestion came from the hon. member (Mr. Lennox).

Mr. LENNOX. It was the minister who said he would pay him on the first of April, and I thought the suggestion was rather unfortunate.

MILITIA PENSION ACT AMENDMENT.

House again in committee to consider the proposed resolution of Sir Frederick Borden to amend the Militia Pension Act.

Sir FREDERICK BORDEN. Since last evening I have looked into this matter more carefully, and I find that the amendment which was proposed by my hon. friend from Centre York (Mr. Wallace) will not be necessary, for the reason that subsection (e) of 6B will include the only officer who would be affected by that amendment. Under this subsection he will be able to count sufficient time to become eligible for a pension within the age limit to which he will be able to serve on the permanent corps. Therefore, I have asked my hon. friend not to press his amendment, because I think it undesirable to legislate for one individual, particularly when it is not necessary. The case is a meritorious one, and I have told my hon. friend that if it should turn out that I am not correct in this, I shall be glad myself to introduce the amendment which he has suggested next session. My hon. friend has accepted this statement on my part. Otherwise I think the resolution was fully considered.

Mr. GEO. TAYLOR. This resolution deals somewhat with the South African contingent. I mentioned to the minister that there were a few cases of hardship that have not yet been dealt with by the government. I refer to the relatives of those who started for South Africa, and died on the way. The legal representatives of those who reached South Africa, and died there have participated in the grants of land made by the government, while the relatives of those who died on the way have received nothing. There are only a few of these cases, and I think the minister or the government should provide for them. I know that these people feel that they have been harshly treated, and I think some action should be taken to put the matter right.

Sir FREDERICK BORDEN. I am glad my hon. friend has brought the matter up, but I think he will agree with me that the grievance to which he refers cannot be dealt with in this Bill, which is merely for the purpose of amending the Militia Pension Law. It would have to be dealt with by an amendment to the Act providing land grants for South African veterans. While I cannot give any promise, I have told my hon. friend that I will be glad to consider the matter.

Resolution reported, read the second time and agreed to.

Sir FREDERICK BORDEN moved for leave to introduce Bill (No. 194) to amend the Militia Pension Act.

Motion agreed to, and Bill read the first time.

ROYAL MILITARY COLLEGE ACT AMENDMENT.

Sir FREDERICK BORDEN moved second reading of Bill (No. 180) to amend the

Royal Military College Act. He said: From time to time, owing to the growth of the Royal Military College, the amount of money necessary to pay salaries has been increased. I think there have been amendments on three different occasions. Now it is proposed to amend the Act so that the limit shall be $60,000 a year instead of $30,000 a year. I explained that the commandant is being paid a larger salary than his predecessor because, owing to the adoption of the plan of creating a general staff throughout the empire, it is desirable to have an officer at the Royal Military College holding the highest class in the army; and to get such a man, you must pay more. It has been necessary also to increase the salaries of some of the other professors.

Motion agreed to, Bill read the second time, considered in committee, reported, read the third time, and passed.

Sir WILFRID LAURIER moved the adjournment of the House.

Mr. R. L. BORDEN. What business tomorrow?

Sir WILFRID LAURIER. The tariff resolutions and the estimates.

Mr. R. L. BORDEN. I would prefer that the tariff resolutions should stand over until next week.

Sir WILFRID LAURIER. In that case we shall go into Supply.

Motion agreed to, and House adjourned at 11 p.m.

HOUSE OF COMMONS.

FRIDAY, April 1, 1910.

The SPEAKER took the Chair at Three o'clock.

MORNING SITTINGS.

Sir WILFRID LAURIER. I beg to move:

That from Monday next until the end of the session, the House shall meet on that and every subsequent sitting day at 11 o'clock in the morning and that, in addition to the usual intermission at six o'clock p.m., there shall also be an intermission from one to three o'clock in the afternoon.

Mr. R. L. BORDEN. I think there is no objection to the motion, as we all desire to bring the session to a close at a reasonably early date. It would, however, be desirable that the right hon. gentleman should state what further legislation, if any, the government proposes to submit this session.

Sir FREDERICK BORDEN

Sir WILFRID LAURIER. We shall have some supplementary estimates, then a resolution to amend the law concerning drydocks, also the renewal of some railway subsidies, but no new subsidies, and some legislation regarding the Ottawa Improvement Commission, also legislation with regard to judicial appointments necessitated by legislation of the local legislatures. If there be anything else I shall inform the House on Monday.

Motion agreed to.

CIVIL SERVICE ACT AMENDMENT.

Hon. RODOLPHE LEMIEUX (Postmaster General) moved that on Monday next the House go into Committee of the Whole to consider the following proposed resolution:

Resolved, that it is expedient to amend the Civil Service Act, chapter 16 of the Revised Statutes, 1906, by providing for the payment of salaries as follows:—

To post office inspectors on appointment, $2,500, with an annual increase of $100 to a maximum of $3,500.

To assistant post office inspectors and superintendents of the railway mail service on appointment, $1,600, with an annual increase of $100 to a maximum of $2,500.

To authorize the increase to the minimum of the salary of any such officers whose salary is at present less than the minimum.

To assistant postmasters, on appointment, a salary of not less than $1,100 and not more than $2,800.

Motion agreed to.

THE WATERWAYS TREATY.

Mr. R. L. BORDEN. Before the orders of the day are called, I would like to ask the right hon. the Prime Minister whether he has brought down the correspondence relating to the Waterways Treaty, which we have asked for?

Sir WILFRID LAURIER. It will be laid on the table Monday next.

TRADE NEGOTIATIONS WITH THE UNITED STATES.

Mr. R. L. BORDEN. I would like to ask the hon. the Finance Minister to give me, at as early a date as possible, particulars of the goods that have been imported under item 711 of the present tariff, which is affected by the recent arrangements with the United States. I would like to have particulars of the goods imported from the United States under that item, the classes of goods embraced under that item generally speaking, and the expectations of the government with respect to the same, also particulars regarding changes anticipated in importations this as well as the other items.

Mr. FIELDING. How these will affect the revenue?

Mr. R. L. BORDEN. I was not thinking so much of the revenue, though of course that would be affected. There will be a smaller customs tax, but possibly a larger revenue. What I want more particularly is the actual volume of the importations.

Mr. FIELDING. I am not sure that we can give the exact information, as that would be a good deal a matter of surmise. However, I shall endeavour, as far as possible, to give the information desired before we proceed further.

Mr. R. L. BORDEN. Of course, information as to the revenue should in itself convey information as to the importations because the one depends on the other.

Mr. FIELDING. I have already given instructions to prepare a memorandum giving the probable reductions of taxation under the new arrangements. That memorandum should give all the information the hon. gentleman desires. At all events I shall do my best to furnish it.

Mr. R. L. BORDEN. The details necessary to be obtained in order to prepare such a statement will probably cover the information desired.

SUPPLY.

House in Committee of Supply.

Port Arthur and Fort William harbour and river improvements, $800,000.

Hon. WM. PUGSLEY (Minister of Public Works). This is to make provision for improvements in the way of dredging on the Mission river, and also at the harbour of Port Arthur, and for revetment walls on the Mission river, and also for a breakwater at Port Arthur. This amount is required to carry on the work during the present year.

Mr. BLAIN. Under contract?

Mr. PUGSLEY. All under contract.

Mr. SPROULE. Will the minister have an over expenditure the same as last year?

Mr. PUGSLEY. In view of the rapidity with which the work is going ahead, and also in view of the fact that we have given favourable consideration to the proposal to build a breakwater extending from what is known as Bare-point, a little to the east of the dry dock and ship-building and repairing plant, which are being established at Port Arthur, this amount will not be sufficient, and we propose asking for a further amount—if my colleagues approve of it—in the supplementary estimates. It is desirable to carry on this work without unnecessary delay.

Mr. SPROULE. If this improvement is needed I will not be found to grumble at the amount of the expenditure, but we have a right to complain that an over expenditure was made last year as to which the judgment of the House was never invited.

Mr. PUGSLEY. We shall have to ask for a further amount this session.

Quebec harbour—deep-water wharf at Lévis, $55,000.

Mr. PUGSLEY. We purpose constructing a deep water wharf on the property acquired from the Bank of Montreal, formerly the Carrier-Laine property. $400,000 was voted last year, and out of it we have paid for the property, and we think the vote of $55,000 will enable us to enter into a contract.

Mr. SPROULE. That will not complete the work?

Mr. PUGSLEY. Oh, no.

Mr. SPROULE. What is the work to cost?

Mr. PUGSLEY. I am informed by the chief engineer that the estimated cost is about $400,000. We purpose going to a depth of 35 feet at the end of the wharf.

Mr. SPROULE. You had a vote last year of $400,000; how was that expended?

Mr. PUGSLEY. The expenditure was $355,000 as follows: Balance of purchase price paid to the Bank of Montreal, $330,000; interest at 5 per cent, $4,855.55; further interest at 5 per cent, $8,572.43; outlay for arbitration and surveying expenses and temporary repairs, $4,919.43; additional expenditure previous to the close of the fiscal year, $1,652.59.

Quebec harbour—improvements at mouth of River St. Charles' estuary, $180,000.

Mr. PUGSLEY. This work has been going on for a number of years with the object of giving accommodation for ocean-going vessels at the port of Quebec. We require this amount to continue the work of the present year, which is under contract.

Mr. SPROULE. What are these piers like? I understand that one of them toppled over after it was built.

Mr. PUGSLEY. No, the hon. gentleman is misinformed. The work is a very excellent work; the wharfs are built of cribwork under water, and for a certain distance under the water the superstructure is of concrete. We are building a very fine system of piers.

Mr. HUGHES. How do these cribworks correspond as to width and height?

Mr. PUGSLEY. They are forty-two feet wide at the base, and sixty-six feet high, and a good many hundreds of feet in

length, and they are topped off with concrete.

Red river—improvements at St. Andrew's rapids, $55,000.

Mr. PUGSLEY. The government has been engaged for some time in building a lock and dam at St. Andrew's rapids for the purpose of affording navigation from Lake Winnipeg to the city of Winnipeg. The work is now practically completed, and we expect that in a few days it will be open for navigation.

Mr. HENDERSON. Does the hon. minister purpose completing the roadway across this superstructure, which I understand is intended to be used as a municipal road? Does he propose making connections with the banks on either side?

Mr. PUGSLEY. What my hon. friend, I suppose, means is, shall we build the approaches so as to enable the people to avail themselves of the bridge, which was built primarily as a service bridge for the lock and dam, as a highway bridge. I may say that we intend to do so.

Mr. HENDERSON. Then there is no question that the intention of the government is that it shall be a bridge for the use of the public?

Mr. PUGSLEY. There is no question, provided my colleagues agree in the view I take of the matter.

Mr. HENDERSON. I did not know the government were entering upon a scheme of building municipal bridges. The hon. minister objected very much to spending a few thousand dollars in my county to prevent erosions along the lake shore, insisting that the municipalities should do that. I am not finding fault with the expenditure, but it is rather surprising how conveniently the hon. minister can accommodate a municipality in one case and refuse a very trifling assistance in another. It is rather remarkable that he should build a municipal bridge in the west and refuse a little consideration in the east.

Mr. PUGSLEY. There is a difference, a very great difference. In this case the character of the river at that point is being changed. The ordinary mode of crossing by boat is necessarily being considerably affected, and I felt that the government, having been obliged to spend a considerable amount of money in building a service bridge for the operation of the lock and lifting curtains, it would not be unreasonable to go a little further and, instead of compelling the municipality to build the approaches, do that work ourselves.

Mr. HENDERSON. I do not wish the minister to think for a moment that I am objecting. I think it is a very good idea to provide this service bridge for the people, because the municipalities contiguous to this portion of the river would certainly be put to a very large expense to erect a bridge. But I am rather amused at the reason the hon. minister has given, that the erection of this dam is going to interfere with the crossing of the river by a ferry. However, I do not wish to make any objection. I think the idea is a very good one.

Mr. BLAIN. What will be the increased cost to make the provision for the municipality?

Mr. PUGSLEY. $63,000 is the estimate.

Mr. MEIGHEN. I understand the minister to say that the present vote of $55,000 will complete the opening of the river for all the purposes of navigation, but will not complete the bridge?

Mr. PUGSLEY. This will complete the payments under the existing contracts, but will not complete the approaches to the bridge or the sodding.

Mr. MEIGHEN. Can the minister give the total cost of the improvements to the rapids, inclusive of the bridge, except the approaches to which he has alluded?

Mr. PUGSLEY. The total expenditure from the beginning will run to about $1,500,000.

Mr. LALOR. What is the tonnage on Lake Winnipeg?

Mr. PUGSLEY. I do not know the tonnage, but there are a considerable number of vessels plying from Selkirk to the foot of the lake. I know that there are two regular steamers and a considerable number of other vessels. It is anticipated that as a result of building these works so as to enable vessels to go right up to the city of Winnipeg the traffic upon the river and lake will be greatly increased in the near future. I have information of at least two vessels which have been constructed especially in view of the construction of this lock and dam. Lake Winnipeg is a very important lake. It is larger than Lake Ontario, and it is impossible to foresee what will be the traffic in the near future.

Mr. J. HAGGART. Before that lock was built one of the objections to it was the danger of ice jamming. The ice used to jam at the mouth of the Red river and raise the water in the city of Winnipeg. I have seen it on the streets there. Has the building of this dam and lock increased to any extent the danger of flooding the city of Winnipeg and district?

Mr. PUGSLEY. We are quite sure that it has not, and the reason of that is that,

owing to the chief engineer of my department having in view the very danger which my hon. friend speaks of, the department engaged upon the construction of a dam and lock which are altogether unique upon the continent. There are some in the old country where the conditions are similar. Here the river takes its rise in the south, the ice melts farther up the river before it does near its mouth, and by a system of lifting or movable curtains we believe we have avoided the possibility of the danger of which my hon. friend speaks.

Mr. J. HAGGART. Is it a movable dam?

Mr. PUGSLEY. Practically a movable dam.

Mr. J. HAGGART. It is taken up on the shore when not in use?

Mr. PUGSLEY. No, it is raised by electrical power.

Mr. J. HAGGART. I have seen them; there is one on the Sault Ste. Marie canal.

Mr. PUGSLEY. No, there is nothing like this in America.

Mr. J. HAGGART. Oh, yes there is.

Mr. PUGSLEY. No.

Mr. J. HAGGART. Pardon me, I have seen them.

Mr. PUGSLEY. We sent an expert to Europe for the purpose of examining the lock and dam where the conditions are similar, but there is no place in America where there is a similar contrivance.

Mr. J. HAGGART. The dam may be not exactly like the others, but the old dam used for the purpose of stopping the water above the Sault Ste. Marie canal is similar. It is a frame work and they let it into the river with pulleys.

Mr. PUGSLEY. It is altogether different.

Mr. J. HAGGART. And when it is not in use it is lifted up and taken on shore. This is a plan that has been used very often for the purpose of blocking up rivers.

Mr. CONMEE. The hon. gentleman (Mr. Haggart) has reference to the temporary gates used on the canal in case of accident.

Mr. J. HAGGART. It is for canal purposes.

Mr. PUGSLEY. I have no doubt the foundation principle is the same. But we believe that we have vastly improved upon that by means of this system of lifting curtains.

Mr. J. HAGGART. No doubt.

Mr. MEIGHEN. Perhaps we are not warranted in asking the minister to withhold the item, but the members for the two constituencies directly interested are not here. My hon. friend from Winnipeg (Mr. A. Haggart) has not yet returned from his Easter holidays, but I understand that he will be here on Saturday. My hon. friend from Selkirk (Mr. Bradbury) is in the city, but I have been unable to get in touch with him to have him here while this vote is under consideration. I would like if the minister would permit either of these gentlemen at a later stage to speak on the matter.

Mr. PUGSLEY. I would be very glad to. Both of these hon. gentlemen have already spoken on the question, and I am sure that they would regret that there should be any delay in the passing of the item. The hon. member for Selkirk a short time ago spoke in very strong terms of the importance of finishing up these approaches and of the very great importance of the work. But when they come there will be no objection to their speaking in regard to this when any other item is under discussion, of course, with the permission of the chairman.

St. John harbour, New Brunswick—improvements, $450,000.

Mr. PUGSLEY. This is for the purpose of continuing the work of dredging in the harbour of St. John and of completing the new pier which is now under construction. The work is all under contract, and we anticipate that this amount would be required during the current year.

Mr. DANIEL. Will any of this be spent in Courtenay bay?

Mr. PUGSLEY. I am unable to tell my hon. friend at the present time whether it will or not.

Mr. DANIEL. Could the minister state whether the Grand Trunk Pacific Railway Company or the National Transcontinental Railway Commissioners have purchased any land at the head of Courtenay bay?

Mr. PUGSLEY. I may say to my hon. friend that I have been informed that they have agreed to purchase such land, but whether they have actually completed the purchase, I am not aware.

Mr. DANIEL. Supposing that the purchase is made, work would have to go on on Courtenay bay, would it not?

Mr. PUGSLEY. I always believe in deciding a matter when the necessity arises.

Mr. DANIEL. Then the necessity will not arise this summer?

Mr. PUGSLEY. It does not follow.

Mr. DANIEL. The minister has no information to give on the subject?

Mr. PUGSLEY. Not at the present moment.

Mr. J. HAGGART. When the minister is getting a vote, and when an expenditure is to be made at a particular point, he should be prepared to say whether that expenditure is to be made there or not. He should give precise information in reference to what he intends to use the money for.

Mr. PUGSLEY. Suppose he is unable to do so, what then?

Mr. J. HAGGART. Well then, he is not justified in asking for the money.

Mr. PUGSLEY. I may say to my hon. friend that the contracts which are now actually in existence upon the western side of the harbour will require all of this money, provided we keep the dredges upon the western side, but if the Grand Trunk Pacific should complete, as I apprehend they will complete, the purchase of the land around Courtenay bay, then, in the ordinary course, they would, I presume, submit plans for the consideration of the government in regard to the improvements which would be requisite in connection with terminal facilities. Then, it would be my duty to take up the question as to whether we would take some of the dredges that are now employed upon the western side and place them on Courtenay bay; but at the present moment I cannot decide that because I must know what the Grand Trunk Pacific intend to do before coming to a conclusion.

Mr. J. HAGGART. Does not the minister think that it is perhaps more proper that this expenditure should have the consideration of the House rather than that it should be determined by himself? He has come here proposing an expenditure of money for a purpose; he should give the particular purpose for which the money is to be expended. In answer to my hon. friend from St. John (Mr. Daniel), he says that he cannot tell whether a certain amount is to be expended in Courtenay bay or not. That is not an answer. He should have precise information.

Mr. PUGSLEY. I really think that upon reflection my hon. friend will see that I gave a frank statement of what is in my mind at the present time, and that is that the money will be expended upon the western side of the harbour. But, of course, the vote will enable us to expend it on either side of the harbour. If we deemed it necessary in the public interst to expend part on the eastern side of the harbour, I do not see any reason why the government, if they saw fit to do so, could not apply a portion of the money to that purpose, but at the present time it is in contemplation to expend all of this vote upon dredging and wharf building upon the western side of the harbour.

Mr. DANIEL. Can the minister state whether it is the intention of the Grand Trunk Pacific to purchase this land at the head of the bay?

Mr. PUGSLEY. I have been informed that it is the intention of the Grand Trunk Pacific to purchase the land at Courtenay bay, but whether they have actually completed the purchase or not, I am not aware.

Mr. EMMERSON. The minister has stated that some of this expenditure might be made in Courtenay bay. Have plans and specifications for that part of the work been prepared?

Mr. PUGSLEY. Borings have been made in Courtenay bay, and although incomplete they show that a depth of 32 feet of water at low tide can be got without striking rock. Preliminary plans have been prepared by the engineers of my department, although they are not sufficiently matured to enable me to give to the committee any details that would be of value. Before engaging in the work, of course, careful consideration would be necessary, and detailed plans would have to be worked out.

Mr. EMMERSON. I presume no contract will be asked for until the detail or working plans are prepared?

Mr. PUGSLEY. None would be entered into.

Mr. EMMERSON. Is it proposed to do this work by government tenders or to invite tenders for the work that may be decided on after plans have been completed?

Mr. PUGSLEY. Some time ago tenders were called by public advertisement for dredging in St. John harbour, including Courtenay bay. Tenders were received from three contractors: G. S. Mayes, if I remember, asked 74 cents per cubic yard; the Dominion Dredging Company asked 39½ cents, and the Maritime Dredging & Contracting Company asked 35 cents per cubic yard, if done with an ordinary dipper dredge, or 25 cents per cubic yard if done with a suction or hydraulic dredge. No contract was entered into, but in the contract which was made for the dredging upon the west side of the harbour it was stipulated that if the government called upon the contractors to do the work of dredging in Courtenay bay they would do it at the price named in their tender. The question as to whether it should be done by government dredges or by contract has not been determined. My own view is that there are many advantages in having the work done by a government dredge. I think probably we could get it done more

cheaply even than these low figures named by the contractors, which are much lower than anything which have heretofore been obtained at the port of St. John. When the last contracts were let, under public tender, for the western side of the harbour, the lowest tender was that of G. S. Mayes at 90 cents a cubic yard. In considering whether the work should be done by a government dredge we would have to determine the demands on the government fleet of dredges in other places, and also the question of acquiring additional dredges for the purpose. That matter has not been considered by council and will not be considered until we know whether or not the Grand Trunk Pacific propose to have their terminal at Courtenay bay, which I presume they will do if they complete the purchase of the property, and then the question would come up as to how it would be best to have the dredging done, whether by contract or by government dredges.

Mr. DANIEL. In citing the Maritime Dredging and Contracting Company's tender at 25 cents per cubic yard, the minister omitted to state the qualifying clause, 'provided the material was placed behind revetment walls, etc.'

Mr. PUGSLEY. That is so.

Mr. DANIEL. It is not an ordinary tender?

Mr. PUGSLEY. That is the way in which dredging is done by a suction dredge. You have to do it in that way, you have a long pipe and the material is placed in that way.

Mr. EMMERSON. From the information I have been able to gather from statements made in the House, tenders were asked for the work at Courtenay bay in 1908. The tenders relating to Courtenay bay were not accepted although the tenderers were under obligation, if called upon, to perform the work which they offered to do, and, as I understand it, the contract was only entered into on behalf of the government with the lowest tenderers for that work on the western side of the harbour.

Mr. PUGSLEY. That is correct.

Mr. EMMERSON. The minister states that no complete detail or working plans have been prepared and the extent of the work has not been determined by the department for the proposed expenditure. I have been led to believe that the dredging alone would cost two or three millions. I may be wrong, but I gathered from an answer in the House some weeks ago that when these tenders were invited only $6,000 of a deposit was required. Evidently the government did not contemplate so great an expenditure on the part of the contractors when they only asked the contractors to furnish a deposit of $6,000. Of course if the government only propose to carry out the contract, and not have any work done in Courtenay bay by these contractors, that would seem to be all right. But if it is proposed to extend that work, then I do not think it is in the public interest to take a step involving so large an expenditure without inviting tenders for the work which has yet to be determined. Now, the minister has stated that this vote is for the western side, and that possibly in consequence of some contingent action on the part of the Grand Trunk Pacific it might be necessary to have the dredges on the western side of the harbour removed to Courtenay bay to do that work. Then it must be in the mind of the minister that the contractors for the western side of the harbour propose to do the work on the Courtenay bay side. I simply want to know whether that is in contemplation and if it is involved in this vote, because if it is, I would take serious exception to it, and would take the trouble to advance reasons why that should not be done. I simply ask the minister that I may know, and that the country may know, his plans in respect to the matter.

Mr. GERMAN. I notice that the minister says he has not yet decided whether the work to be done in St. John harbour shall be done by contract or by government dredges. A year ago I asked for a return of the number of dredges owned by the government, and the work they had been doing during the last three years. The return shows the amount of work these dredges have done, and I have made up a statement of the relative cost of doing the work which has been done by government dredges, and the cost of work done by similar dredges which are owned by contractors; and I intend on another occasion to speak at greater length on this matter. But I wish to call the attention of the minister to the fact that work can be done, and is being done, by contractors at a cheaper price than the work that is being done by government dredges. The government owns at present an enormous fleet of dredges and dredging plant, I think they own a greater amount of dredging plant than they should own. I am absolutely opposed to doing work of that kind by government dredges. If the hon. minister will look at the work which was done by the dredge 'W. S. Fielding' in St. John harbour during 12 months, he will find that the work done by that dredge, apparently working continuously for the 12 months, did not exceed the amount which such a dredge should do in two months. The dredge cost over $600,000, and working for 12 months straightaway, winter and summer, it moved less than 400,000 yards of material. A dredge which cost that

much money ought to remove that much material in two months.

Mr. EDWARDS. What kind of material?

Mr. GERMAN. Ordinary clay; this dredge would not work in any other kind of material, it would not work in harder material. It is an endless bucket dredge, and works only in comparatively soft material, it would not work in hard pan.

Mr. PUGSLEY. That is just what it is doing in St. John harbour, the very hardest kind of material.

Mr. GERMAN. I won't dispute the hon. gentleman, because he apparently lives there. But my knowledge of such dredges is that they usually work in comparatively soft material, not in what is called hardpan and boulders, because the buckets are not large enough to hold large boulders. I am positive that if the minister looks over the records he will find that the government own at present all the dredges that they should own, and that the policy of the government in buying and building more dredges should be reversed, that work of this kind should be let by public tender, that it should be let to the lowest bidder, that there should be no arrangements made with bidders beforehand, but the man who is the lowest bidder on that particular job should get the work.

Mr. PUGSLEY. I am glad to hear what my hon. friend (Mr. German) has just said. I quite agree with him when he says that when contracts are let they should be given to the lowest bidder. But I may say to my hon. friend, and I am sure he will agree with me from his knowledge of what has taken place, that that is the case in all contracts let by the Department of Public Works, and I believe by all other departments of the government. But the question which my hon. friend raises as to whether it is better to do dredging by government dredges or by contract, is one with regard to which there may very properly be differences of opinion. My own view, notwithstanding what my hon. friend has said, is strongly that it is in the public interest to extend the number of government-owned dredges. I would like myself to see all the dredging of the country performed by government dredges. While, perhaps, there may not be just as much work done by government dredges per day as may be done by contract dredges, yet upon the whole, I think they can do the work more cheaply, because contractors, of course, necessarily figure upon the cost of their plant, they naturally look for reasonable profits from their work, and of course each contractor has to insure for himself. So, upon the whole I am inclined to think that it would be to the public advantage to increase the number of government dredges rather than diminish it. But, of course, that is a matter of opinion with regard to which hon. gentlemen may differ. Now a word with regard to the dredge 'Fielding.' My hon. friend makes a comparison of its work with work which may be done by a contract dredge in some other section of the country. You cannot make a reliable comparison in that way. The dredge 'Fielding' is dredging the channel of the harbour of St. John. The material consists of hard material, in addition there are a good many boulders. I have been on board the dredge, and I have seen the operations stopped by very large boulders getting into the buckets, and when one of these boulders does get in the buckets it delays the operation of the dredge for a considerable time. It is dredging out a part of the harbour where it is greatly exposed to the weather, as gales arise there frequently, and when these storms occur the dredge has to stop working. To make a proper comparison one would have to take a contract for dredging at a similar place, and under similar circumstances. It is to be borne in mind that the dredge 'Fielding' is dredging to a depth of 55 feet below the water when the tide is high, and there is a wonderful difference between working under those circumstances and going into a bank of soft mud, and simply shovelling out the soft material by means of a dipper. I took pains to make inquiries as to the work being done by the 'Fielding' last summer, and while I cannot give the exact figures, I believe it was doing most creditable work.

Mr. GERMAN. In July, 1909, it dug out 69,000 cubic yards, and in August 52,400.

Mr. PUGSLEY. Under the circumstances it was doing very good work. With ordinary dredging material, 10,000 cubic yards per day is an unusual quantity.

Mr. J. HAGGART. What kind of a dredge?

Mr. PUGSLEY. An elevator dredge with an endless chain of buckets.

Mr. R. L. BORDEN. What is the capacity of the buckets?

Mr. PUGSLEY. About one cubic yard, taking about one ton to each bucket. In reply to the question of my hon. friend from Westmorland (Mr. Emmerson), I do not think that the dredging in Courtenay bay is involved in this vote, because if we should contemplate dredging at that bay, we would have to get a larger vote. Should we come to the conclusion to do that work, we would have necessarily to ask for an additional amount in the supplementaries, and my hon. friends would then have the opportunity of fully discussing the item.

Mr. J. HAGGART. When introducing this vote, the hon. gentleman said that a portion of it might be used for dredging at Courtenay bay.

Mr. PUGSLEY. But involved in that was the understanding that I would have to obtain a further vote in the supplementaries. But if there be no further vote, I would not use any part of this in that work because the vote would be too small.

Mr. J. HAGGART. The hon. minister went further. He asked for tenders, and awarded a contract, and those tenders covered that particular work of dredging out Courtenay bay, and he did that without a vote from parliament at all.

Mr. PUGSLEY. No.

Mr. J. HAGGART. We knew nothing about Courtenay bay until the hon. member for Westmorland gave the information.

Mr. EMMERSON. The information I gave was contained in a return made before the House.

Mr. J. HAGGART. Then I am only speaking for myself. I did not know the information until I heard it given by the hon. member for Westmorland. To my astonishment I hear that this involves an expenditure of between two and three million dollars for dredging Courtenay bay. The plans and specifications, and an estimate of the cost, and a full statement of the work to be done should be given by the minister before he asks for a dollar. The minister corrects himself now, and says he would not venture upon the work without a subsequent vote. That was not the statement he made on the introduction of the vote. According to that statement, it appeared that we were giving the minister power to make an expenditure in Courtenay bay. I protest against any such manner of introducing so important a vote —a vote that will add to the enormous expenditure which we are at present making on the Transcontinental an expenditure of over $3,000,000. We should have the plans and specifications, and a complete estimate. What authority had the minister to ask for tenders for the purpose of beginning the work?

Mr. PUGSLEY. We had a vote in 1908 of $400,000 for St. John harbour.

Mr. J. HAGGART. That does not include Courtenay bay.

Mr. PUGSLEY. Yes it does.

Mr. J. HAGGART. The vote for St. John harbour, we are now told, covers the expenditure on another place which is a little distant from that harbour—a new harbour proposed for the use of the Grand Trunk Pacific. That was never explained, and we would not have known anything about Courtenay bay only we saw in the newspapers that the Grand Trunk Pacific intended to purchase it for a terminus. What this House must have is a statement showing what work is contemplated, and the necessity for it, and a complete estimate of the expenditure. If the statement of the hon. member for Westmorland is correct, the expenditure involved is between two and three million dollars.

Mr. PUGSLEY. I want to correct an error into which my hon. friend evidently has fallen, and perhaps not unnaturally, because he says this is the first time he heard of any proposed improvements at Courtenay bay. The reason is he was not aware of the return having been brought down, to which my hon. friend from Westmorland has referred. He says that we entered into a contract for the dredging of Courtenay bay. That is what we did not do.

Mr. J. HAGGART. The hon. gentleman received tenders for the purpose of doing this work?

Mr. PUGSLEY. Yes, but in my judgment Courtenay bay is a part of St. John harbour. Vessels have been for a hundred years going up Courtenay bay. There are one or two small wharfs at the head of the bay, and vessels have always gone there. By the charter of the city, that bay is declared to be a part of the city and harbour of St. John. True, the boundary is at Marsh creek, which runs down through the bay, but it is a part of the harbour. I did call for tenders, but we did not enter into any contract. The matter, therefore, is in this position, that if the government should decide to go on with the work of assisting in the terminals of the Grand Trunk Pacific, should the Grand Trunk Pacific decide to make a terminal there, it will be open to the government to determine whether that work should be done by contract or by one or more government dredges. My hon. friend misunderstood me when he understood me to say that a part of this money would be used for dredging at Courtenay bay. The hon. member for the city of St. John (Mr. Daniel) asked me if a part would be so used, and I said I did not know. The reason I do not know is because I cannot tell whether the government will decide to put in the supplementary estimates any amount for the purpose of dredging out that bay. But I can assure the committee that unless there should be a further amount voted for dredging out Courtenay bay, no part of this vote will be used for that purpose. But if there should be an amount in the supplementaries, the matter can be fully discussed, and plans will be submitted. In making this statement, I want it to be clearly understood that the government has not decided to do

any dredging at Courtenay bay. The matter is entirely open. I am only speaking now of what may take place in case an amount should be put in the supplementary estimates. Personally, I am in favour of proceeding at an early date to make improvements at Courtenay bay, always provided that the Grand Trunk decide upon that as their terminal. That is only my own individual view; the government has not considered the matter at all. If it should be decided to go on, it would necessarily come in further estimates, and then the matter would be all open for discussion.

Mr. EMMERSON. The statement made by the minister is as I would have expected. Knowing from the return, the circumstances connected with it, I did not for a moment assume that this vote was intended for the development of that portion of the harbour of St. John known as Courtenay Bay harbour. I recognized that tenders had been asked for dredging in St. John harbour, inclusive of Courtenay bay, but I also recognized that the government had not entered into any such contract, and that in making the contract with the successful tenderers they provided in it that they could call upon the contractors to do work in Courtenay bay if they desired, but that the contractors could not hold the government under any obligation to give them the work or to have the work done. I, therefore, assumed that there would be no such work entered upon by these contractors, and furthermore, I had assumed that if any work was entered upon, we would have the full plans and specifications laid before parliament, and that tenders would be asked for that additional work. In a work that involves millions of dolllars, you would naturally expect that those who would be invited to compete for it should make a greater deposit than a mere pittance of $6,000; a pittance in comparison to the great expenditure. As I understand the minister, the matter stands in this way: that no part of this sum of $450,000 is to be expended in connection with the Courtenay bay work.

Mr. PUGSLEY. Unless there should be a further sum asked for.

Mr. EMMERSON. Then you would have the two amounts aggregated?

Mr. PUGSLEY. Yes.

Mr. GERMAN. I want to impress as emphatically as I can on the minister my views as to the policy of the government owning and operating government dredges. I may say that the 'Fielding' —and this applies to almost every dredge that is operated by the government—the 'Fielding' cost $612,784; she worked the whole year from the 1st of April, 1908, to the 1st of March, 1909, and she excavated only 350,540 cubic yards, and I am in the judgment of the engineer of the department, that that dredge should have done that amount of work in two months. An ordinary dipper dredge which will not cost more than $30,000 will excavate 5,000 cubic yards of material in a day.

Mr. PUGSLEY. Oh, no.

Mr. GERMAN. I know whereof I speak.

Mr. R. L. BORDEN. How much did the 'Fielding' cost?

Mr. GERMAN. She cost $612,784; the cost of operating her for twelve months was $61,221, and the cost of maintaining her for the twelve months $14,113.

Mr. BOYCE. How much did she earn?

Mr. GERMAN. I would not think she would be earning anything.

Mr. BOYCE. What was the value of the work she did?

Mr. GERMAN. Taking operating and maintenance expenses, and without calculating anything for interest or for depreciation, the cost would amount to about twenty-two cents per yard. What applies to the 'Fielding' applies to every dredge owned by the government, as I believe I can emphatically show the minister. The dredging done by the government dredges costs more than the dredging done by contract work.

Mr. DANIEL. A dipper dredge could not operate at all where the 'Fielding' has been operating, because she is exposed to the winds and the roll of the Bay of Fundy.

Mr. GERMAN. I am not saying anything about that, but let her do more work for the money that is being spent on her.

Mr. PUGSLEY. I know myself of dredges owned by contractors which have cost from $100,000 to $150,000 and more, and in fifty feet of water upon the sea-coast they never make on an average more than from 1,000 to 1,500 cubic yards a day. There is not a dipper dredge in Canada that in fifty feet of water could dredge 5,000 cubic yards a day. My hon. friend (Mr. German) would want to pursue the inquiry further, and consider what is done by contract dredges working under similar conditions to the 'Fielding'. We are getting dredging done by contract as low as eleven cents in some places, while in other places we are paying ninety cents per cubic yard. Some dredges do work as low as one and a half cents per cubic yard, and others do it at twenty cents, forty cents, sixty cents; it all depends upon the conditions. The splendid hydraulic dredge 'J. I. Tarte', does work at three or four cents per cubic yard under peculiarly advantageous circumstances.

Mr. BRADBURY. What does dredging cost per cubic yard on the Red river?

Mr. PUGSLEY. I have not that information at hand.

Mr. BARNARD. What is the estimated total amount to be spent on St. John harbour, including Courtenay bay?

Mr. PUGSLEY. It depends entirely upon the extent of the work to be done, and of course that depends upon the development of the business. The development of St. John as a winter port began in 1895, and since then the business has been increasing from year to year until now it has reached a volume of from twenty millions to twenty-five million dollars of exports during the winter season. The number of steamers coming to that harbour is constantly increasing, and we hope the number will continue to increase. It will take many, many years before the St. John harbour will be finally completed. What it will eventually cost I am unable to say. At present we are building a wharf upon the western side of the harbour which will accommodate two additional steamers; we are doing dredging for a series of wharfs which will be needed in the future, and we are making provision for the building of an additional wharf in the near future which will give accommodation for two more steamers. When we have done that, I think we might let the work rest for a few years, until the trade develops still further, and there is a more urgent demand for additional wharfs.

Mr. J. HAGGART. Can the minister give the total expenditure by his department and by the Railway Department on the harbour of St. John from 1867 to the present time?

Mr. PUGSLEY. I am sorry to say that I have not that information.

Mr. ARMSTRONG. Has the minister received any serious complaints from Port Arthur to the effect that some of the contractors who were dredging there and who had orders to carry out the material in the night-time frequently went out with only a few barrow fulls, and that the inspectors were not doing their duty in that district?

Mr. PUGSLEY. No such complaint has reached me.

Mr. ARMSTRONG. Will the minister look into the matter?

Mr. PUGSLEY. If my hon. friend will be good enough to furnish me with any details he has in his possession, I shall be very glad to look into it.

Mr. ARMSTRONG. I have reason to believe that it is worth the minister's while to look into the matter—to ask his inspectors at least.

Mr. PUGSLEY. It is last year that my hon. friend refers to?

Mr. ARMSTRONG. Yes.

Mr. PUGSLEY. If my hon. friend has any further information and will give it to me, I shall be glad to have the matter investigated.

Mr. R. L. BORDEN. Do these improvements relate solely to dredging or do they include other matters?

Mr. PUGSLEY. They include dredging and the building of a wharf now under construction on the western side of the harbour.

Mr. R. L. BORDEN. Not on Courtenay bay?

Mr. PUGSLEY. No.

Mr. R. L. BORDEN. How far is Courtenay bay from that wharf?

Mr. PUGSLEY. The entrance to Courtenay bay is less than half a mile. It begins just at the eastern side of what is ordinarily known as the harbour of St. John.

Mr. R. L. BORDEN. The minister obviously has some plan of improvement in contemplation when he is asking for this vote. The question was put to him a little while ago, and he did not answer it.

Mr. PUGSLEY. Yes, I have a complete plan of contemplated improvements on the west side, which it is hoped the business of the future will require—not the immediate future, but we must look forward a good many years in the case of a port which is rapidly developing. This plan includes dredging from Sand point to the Beacon bar, and a series of ships berths between these two points. When the development is finally completed, it will give additional accommodation for about ten ocean steamers.

Mr. R. L. BORDEN. Is this below the Canadian Pacific terminals?

Mr. PUGSLEY. Yes, to the southward.

Mr. R. L. BORDEN. How many berths are there now?

Mr. PUGSLEY. I think there is accommodation for six ocean steamers, and we are at present providing for two more. The plan contemplates ten in addition to these two, giving accommodation for about 18 steamers in all.

Mr. R. L. BORDEN. I also understood from the minister that he desires authority to devote a portion of this vote to development in Courtenay bay?

Mr. PUGSLEY. No, we would require the greater part of this amount to complete the wharfs which are now under construc-

tion on the west side and in order to finish up the dredging work for the additional wharf we contemplate building to the south of Sand point; and therefore, unless we had a further vote, it would be useless to take any part of this for the development of Courtenay bay. No part of this will be devoted to that purpose. If we should ask for a further amount, then I will bring such plans as we have, and give the committee all necessary information in regard to it.

Mr. R. L. BORDEN. I simply wanted a clear understanding of the matter. If any portion of this money is to be devoted to improvements at Courtenay bay, then the country would, of course, be committed to some plan of development there, in which case we would want the minister's explanation. But I understand that no portion of this money will be devoted to the carrying out of any plan at Courtenay bay until a further sum is asked for and full explanations of such plan are given to the committee.

Mr. PUGSLEY. Quite so.

Mr. R. L. BORDEN. Has the land at Courtenay bay been acquired by the Grand Trunk Pacific Company?

Mr. PUGSLEY. I have been informed by the company that they had made an arrangement to purchase the land at Courtenay bay, this will take in all the land at the head of the bay and also the foreshore right of Messrs. Gilbert, the owners of the property.

Mr. DANIEL. How large an area?

Mr. PUGSLEY. The land at the head of the bay covers an area of about 75 acres, and the tide flats cover several hundred acres, of which they would be the riparian owners. Whether they have actually completed the purchase or not I have not been informed.

Mr. DANIEL. I saw it stated in the press, regarding the option said to be held for this purpose, that the area on the shore was 31 or 32 acres and that there was a similar area of foreshore about 64 or 65 acres altogether.

Mr. PUGSLEY. I think my hon. friend has been misinformed as to that. I think it takes in all the head of Courtenay bay, extending from the Marsh creek around to the property owned by the late Mr. Dunn.

Mr. DANIEL. The minister is not in a position to state whether the Grand Trunk Pacific intend to buy that additional area or not?

Mr. PUGSLEY. All I can say to my hon. friend is that the officials of the company have informed me that they have decided to purchase the property, but whether they have completed the purchase or not I am unable to say.

Mr. TODD. Could not facilities be provided for the accommodation of the Grand Trunk Pacific on the west side of the harbour? If so, it would save a very large expenditure which will otherwise have to be undertaken by this country in connection with the Courtenay bay project.

Mr. PUGSLEY. The company have, through their officials, informed me, that they have their engineer at St. John and they are of opinion that the west side would not, owing to the difficulty of the approach, afford to them the adequate facilities that they want for their terminal. As my hon. friend is no doubt aware, in order to get to the west side they would have to use the Canadian Pacific railway, crossing over by their line at the falls and then going around to the terminals of the Canadian Pacific railway. Rival companies have serious objections to using each other's lines, I suppose, because of the difficulty of making arrangements. But the president of the Grand Trunk Pacific, Mr. Hays, has informed me that Courtenay bay presents an ideal site for terminals, and he has also told me that as a result of a visit to St. John of their engineer, he is of opinion that this presents the only opportunity at St. John which would enable them to get the terminals which they would desire for the great business they expect will go over the Transcontinental railway. They could get limited accommodation in connection with the Intercolonial terminals, but their opinion is that Courtenay bay presents the ideal opportunity for railway terminals.

Mr. R. L. BORDEN. How many berths are there at the Intercolonial railway terminals?

Mr. PUGSLEY. Only two, and they are filled all the time during the winter with the present business.

Mr. R. L. BORDEN. Are they capable of extension?

Mr. PUGSLEY. Other property might be bought at the head of the harbour, but the difficulty is to get yard room. Space is very limited at the head of the harbour, as my hon. friend from St. John knows.

Mr. BARNARD. I understand that the wharfs that the minister mentioned in connection with the harbour at St. John are wharfs which are provided for the moving of commerce generally. How much wharfage has the minister there?

Mr. PUGSLEY. Of course, there are wharfs in connection with the Intercolonial railway. The Intercolonial has two berths for ocean steamers at the head of the harbour, and then there is also what is known as the ballast wharf terminal. That makes

three. But at the ballast wharf I do not think the water is deep enough for the largest ocean steamers. Upon the western side of the harbour the wharfs have practically all, up to the present time, been constructed by the city of St. John.

Mr. BARNARD. By private individuals?

Mr. PUGSLEY. No, by the corporation of St. John at their own expense, and the people have felt that a heavy burden has been imposed on them because they have been called upon to provide terminal facilities for the trade of Canada, not for the local trade, but to enable the exports and imports of Canada in the winter season to pass through a Canadian port. They have expended in the vicinity of $1,250,000 for that purpose. It has been expended for a national purpose, and they have not felt that they could go any further. They came to me when I was elected and became minister and urged that further facilities ought to be provided at the expense of Canada, keeping in mind all they had done for this national purpose. I then, with the approval of my colleagues, entered upon the construction of a wharf in extension of the wharfs which had been built by the city upon the western side of the harbour, and the department is now building an additional wharf which will give accommodation for two more ocean steamers on the western side. Then, we have in contemplation, in the near future, the building of another wharf to the south of Sand point which will give accommodation for two more steamers.

Mr. BARNARD. There are no privately owned docks?

Mr. PUGSLEY. Not for ocean steamers.

Tiffin harbour—improvements, $120,000.

Mr. PUGSLEY. This is to continue the work of drilling and dredging at Tiffin. We are providing for a depth of 25 feet at low water. This is to provide a harbour in connection with the Grand Trunk railway. I may say this is a part of the national transportation scheme which was recommended by the Transportation Commission whose recommendations the government is endeavouring to carry out. Tiffin harbour is to be used pimarily as a point for the transhipment of the products of the west. The Grand Trunk railway are building a railway with a grade not exceeding four-tenths of one per cent eastward, over which they will be able to carry large trains of cars with one locomotive, and they hope so to reduce the cost—and in this they are emulating the Canadian Pacific railway in connection with their work at Victoria harbour—of carrying grain eastward that they will be able to divert a large portion of the grain from the Northwest which now goes by way of Buffalo and other American ports through Canadian channels and Canadian seaports. This is a very important national work, and we are asking for this amount in order to carry it to completion. We hope that by next fall we will be able to give deep water accommodation up to the splendid system of elevators which the Grand Trunk are building at Tiffin.

Mr. SPROULE. The Grand Trunk have heretofore been using Midland. Do they intend to establish a new port at Tiffin?

Mr. PUGSLEY. Yes, their through transportation business will be done at Tiffin.

Mr. ARTHURS. I would like to ask the minister if these wharfs being built at Tiffin are on property owned by the government or by the Grand Trunk?

Mr. PUGSLEY. The government is not building any wharfs at Tiffin. All the wharf building is being done by the Grand Trunk itself.

Mr. ARTHURS. Has the government built none of the wharfs in the past there?

Mr. PUGSLEY. No.

Mr. SPROULE. Is this intended to complete this dredging or only a part of it?

Mr. PUGSLEY. It ought to very nearly complete the work we have in hand there.

Mr. BARNARD. What is the railway company spending there?

Mr. PUGSLEY. Several million dollars. They are building a magnificent elevator and wharfs, they are spending a large amount.

Mr. SPROULE. Is this by contract?

Mr. PUGSLEY. Yes, by contract let after public tender to the Canadian Dredging and Construction Company at twenty-nine cents per cubic yard for ordinary material.

Vancouver harbour, British Columbia—improvements, $67,500.

Mr. PUGSLEY. I explained this the other day. We are asked to make very considerable improvements at Vancouver. One is the widening of the First Narrows. The entrance to the harbour is only about 600 feet wide. There is quite a heavy run of tide, and often it is foggy, and by reason of the great increase in the number of vessels entering the harbour there is considerable danger attending the navigation of that part of it. Some time ago a collision occurred, and some lives were lost. We propose widening the harbour to 1,200 feet. There are also some improvements at the entrance of False creek which we have under consideration.

Victoria harbour, British Columbia—improvements, $48,750.

Mr. PUGSLEY. This is a very important work. It will consist of rock drilling, and dredging in Victoria harbour to improve the channel, and also broadening out the inner harbour in the vicinity of the Canadian Pacific Railway dock, and the new dock about to be constructed by the Grand Trunk Pacific. My information is that the business of Victoria is rapidly increasing. During the present season there will be a considerable addition to the number of steamers frequenting the port, and the improvement seems necessary to accommodate the increased shipping. We propose acquiring, if our information as to their usefulness is confirmed, two Lobnitz rock breakers to carry on the work of rock-drilling as rapidly as possible, and we will have one or more dredges to remove the rock as it is broken. We propose continuing as rapidly as we can the general work of improving the harbour.

Mr. BARNARD. I understood from the minister that this would not be sufficient for the purchase of these machines.

Mr. PUGSLEY. The question of what additional amount should be voted is now before council.

Victoria harbour, Ontario—improvements, $108,750.

Mr. PUGSLEY. This represents to the Canadian Pacific railway what Tiffin represents to the Grand Trunk railway. It is a part of the transportation system of the Canadian Pacific railway. They are building elevators, and wharfs, and the government is doing the dredging. I think this will nearly if not entirely complete the work we have in hand at Victoria harbour. It is under contract to the Canadian Dredging and Construction Company at 12½ cents for ordinary material, and $2.25 for rock and boulders. That illustrates the difference in cost. There you have the ordinary material tendered for by the lowest tenderer at 12½ cents at Victoria, Ontario, and 29 cents at Tiffin more than twice as much at Tiffin as at Victoria harbour, and yet the contracts in both cases were let after wide public competition, and to the lowest tenderer.

Mr. BLAIN. The same class of dredge?

Mr. PUGSLEY. The same class of dredge. It is the difference in the conditions, and the material to be dredged. In one case the contractors thought it would be worth 29 cents, and they tendered at that. In the other case it was 12½ cents.

Mr. SPROULE. It is to be hoped they will not be able to count up the material as the contractors have been able to do on the Grand Trunk Pacific or they should make a very profitable thing on it. I suppose the government can only depend on their inspector to ascertain the different quantities of the different materials?

Mr. PUGSLEY. We have taken every precaution to protect the public interest. I recognized after I became minister the fact that the country was to a certain extent at the mercy of the inspectors, and I have taken every precaution to guard against any improper conduct on their part. We require them not only to prepare returns as to the quantities, but to make a solemn declaration, which is the same as an oath, that they are on the work, that they personally inspect each scow load that goes out, and make the measurement in the manner prescribed. We also inspect the inspectors, we have persons who are inspecting them, and their work as well.

Mr. BLAIN. Is that a new office, an inspector of inspectors?

Mr. PUGSLEY. No, it is not a new office.

Mr. BLAIN. Is it a new policy?

Mr. PUGSLEY. We do that through the resident engineers, and their assistants. We keep careful oversight over the inspectors.

Mr. BRADBURY. Before that item is passed, I would like to call the attention of the minister to the fact that there is no fish-way provided at St. Andrew's rapids, and the river is in a very unsatisfactory condition so far as fishing is concerned. It was a serious oversight not to provide a fish-way. I drew the attention of the Marine Department some time ago to the fact, and I understood they were to take it up with the minister. Has that been done?

Mr. PUGSLEY. The matter has not yet been brought to my attention by the Marine Department, but I will have it looked into.

Mr. BRADBURY. I would like to impress upon the minister the importance of this matter, because under present conditions no fish from Lake Winnipeg can get past the St. Andrew's dam; consequently the upper part of my constituency and the city of Winnipeg are denied the use of those fish.

Mr. PUGSLEY. Would the fish venture past the sewers of the city of Winnipeg, and would that affect them at all?

Mr. BRADBURY. Not at all.

Dredging in Quebec and Ontario, $675,000.

Mr. PUGSLEY. This amount is to make provision for operating during the present year the dredging plant, and also to make payments for work which will be done under contract in different places. In the

province of Quebec work will be done at various points on the lakes and rivers, also in the province of Ontario a good deal of work will be done at various harbours upon Lakes Ontario, Erie, Huron and the Georgian bay.

Mr. BLAIN. How about Port Credit?

Mr. PUGSLEY. I think that is a private harbour, is it not?

Mr. BLAIN. Sometimes my hon. friend expends public money on private harbours.

Mr. GERMAN. I would ask the minister what new dredging plant he proposes to acquire in the province of Ontario? I see that he has a vote for new dredging plant in the provinces of Ontario and Quebec, as well as other provinces. If it is a proper question, I would like to know what dredging plant the department intends to acquire in Ontario?

Mr. PUGSLEY. We require to get a hull for the dredge 'Nipissing,' a new boiler and machinery for the dredge 'Nipissing,' a new boiler and machinery for the 'Sir John,' a new hull for the 'Challenge,' a new boiler for the 'Mattawa.' two new 32-cubic yard dump scows for the 'Deschenes,' six yawl boats for different vessels, a new light draft tug for dredge No. 3, dippers for several dredges, costing about $500, a new engine for the 'Storm King,' new steel spuds for the 'Industry,' a steel scow and new spuds for the 'International.' We want to do some work upon the tugs 'Lisgar' and 'Peel,' and to complete some payments, amounting to $4,200. The total is $135,000.

Mr. GERMAN. Does the minister propose to purchase any dredging plant in the province of Ontario the coming season?

Mr. PUGSLEY. Not out of this vote.

Mr. GERMAN. I understood the minister proposed to purchase some dredging plant from the Dominion Dredging Company. I must say, as I have already said, that I think the government has got all the dredging plant they require, and why they should purchase dredging plant from a company which is now in the dredging business and building new dredges, I cannot understand.

Mr. PUGSLEY. There were some negotiations, but no decision has been arrived at.

Mr. ARTHURS. Is it the intention of the government to operate the dredge now at Lake Nipissing?

Mr. PUGSLEY. Yes.

Mr. ARTHURS. This dredge did certain work at the mouth of the South river last year, but on account of the removal of the roller dam at the foot of Lake Nipissing, this work has become of little or no use at the present time. The level of the lake has been so much lowered by the removal of these dams that the dredging is of little use. I think some improvement should be made there.

Mr. PUGSLEY. The improvement of conditions on Lake Nipissing is engaging the earnest attention of the department. We are confronted with the difficulty that if we maintain dams at the outlet of the lake, the country is liable to be flooded, and if we do not maintain the necessary dams then the water becomes too low for vessels in many cases to navigate the lake. We are giving earnest attention to the question, and hope we will be able to improve conditions there.

Mr. ARTHURS. I think the minister will find that the trouble at Lake Nipissing is largely caused by the unusual way the dams were built. They were entirely useless in the way they were built.

Mr. PUGSLEY. If we should decide to build new ones, we will endeavour to avoid any mistakes that may have been made.

Mr. BLAIN. I wish to take the occasion of this item to direct the minister's attention to a promise that was made by the government some years ago, and repeated year after year by the Minister of Public Works, that some dredging would be done at Port Credit, Lake Ontario. It is rather an important point, lying between the city of Toronto and the city of Hamilton, on Lake Ontario, where there is a good deal of traffic in the summer time. It was also looked upon as a harbour of refuge. My hon. friend in past years has stated that it was a private harbour. It is a private harbour, but I think it would be in the public interest, and that the government would be discharging a public duty, if they made an appropriation, or took some portion of this money, to do some dredging in that harbour. Many years ago the government did dredge the harbour out and made some pretty liberal expenditure on that work. At that time it was a private harbour and there has been no change since, except that it may have passed from one private owner to another. My hon. friend always in committee, when I have drawn his attention to this matter, has replied that the government cannot spend money on private harbours. But I would like to point out that his department and his predecessors, have spent public money on private harbours. I am not saying that the policy is a good or a bad one, but there are exceptional cases, and this is a case in which there is a great deal of traffic interested. There is a lighthouse in that harbour which is kept up by the government, and a great deal of shipping is going on there at present. A considerable amount of products of

different kinds are taken in and out of it, but they can only be taken by very small boats, because of the condition of the harbour, owing to the fact that there has been no dredging done there for many years. I want, as emphatically as I can, to draw my hon. friend's attention to it, and ask if he will not allow some engineer of his department to inspect and make a report upon it, so that he may see whether it would be a wise and proper expenditure to apply some of this money to the dredging of that harbour.

Mr. PUGSLEY. Is Port Credit in my hon. friend's constituency?

Mr. BLAIN. Yes.

Mr. PUGSLEY. I understood my hon. friend to say that he would not say whether it was a wise or an unwise policy to expend public money on dredging in a private harbour, yet he urges me to do it in this case.

Mr. BLAIN. I think it would be a very wise expenditure, and my hon. friend's supporters think it would be also. My hon. friend has in his department at this moment more than one very largely signed petition, signed by the ratepayers in that section, calling on the government to make this expenditure. I said I did not know whether it was wise or unwise to make it a policy of the government to spend public money on private harbours, but that there were exceptional cases, and I regarded this as an exceptional one. It is a very important point; there is a great deal of traffic between Toronto and Hamilton, and this is looked upon as a natural harbour of refuge. A very small expenditure indeed would protect what has already been expended by a former government in that harbour; but if the harbour be allowed to continue in its present condition, and the condition is getting worse and worse every year, it will become useless. If the government does not very soon make some expenditure of public money there it will be necessary to spend a very large amount. My hon. friend will understand my answer to his question when I say that I have no hesitation in declaring that this would be a very wise expenditure. If, when in Toronto, he would take a run out there and see it himself, or if he would send an engineer to examine it, he would find that I am not putting the case at all too strongly.

Mr. PUGSLEY. As the matter has a good deal of importance, not merely to Port Credit, but also to other harbours which are similarly situated, I desire to say that I am rather surprised that my hon. friend who is declaring generally that he is not able to state whether it is a wise or unwise course for the government to spend money on private harbours, but that, in respect of this particular harbour, which happens to be in his constituency, and for reasons which no doubt are eminently satisfactory to himself, the expenditure would be a wise one.

Mr. BLAIN. I did not say that this was the only case.

Mr. PUGSLEY. Of course, it is always easy to make exceptional cases and ask for expenditure for exceptional reasons. I am rather of the opinion that it would be very much better if the people living at Port Credit and at other places where there are private harbours, which their owners are not able to keep in repair, would induce these proprietors to part with the ownership of these horbours and hand them over to the government. I have never been able to understand the policy which induced past governments to hand over the control of harbours to private companies. If there be anything which ought to be owned by the public it is a harbour. I would suggest to my hon. friend whether it would not be better for the people to try and induce this company, which apparently is not able to keep this harbour in proper condition, to hand it over to the Crown, and then I would be pleased to give the matter my most favourable consideration. But even although it is a private harbour, I will not say that I will not make the improvements. I shall have the matter looked into, and if I feel that the work can be done at a reasonable cost, and I can justify it to my colleagues and to this House, I will give it my favourable consideration.

Mr. GERMAN. I know something about Port Credit harbour, and under existing conditions I think it would be an exceedingly unwise policy for the government to spend any money on its improvements. It is very currently rumoured, whether the rumour be true or untrue, that this harbour was purchased simply with the view of getting the government to spend money on it and make it more valuable, and then handing it over to the government at the enhanced value caused by this government expenditure.

Mr. BLAIN. Can the hon. gentleman give any reasons for that statement?

Mr. GERMAN. I say there is a rumour to that effect, whether true or untrue.

Mr. BLAIN. Who are the owners that are seeking to do this?

Mr. GERMAN. My hon. friend must know who the owners are.

Mr. BLAIN. I thought the hon. gentleman did not know much about it.

Mr. GERMAN. I do not know who the owners are, but I have an idea, however.

There is another point I wish to bring to the attention of the minister with regard to the dredging of harbours. I think that in that connection the government could change their policy to the public advantage. I refer to the manner of letting contracts for dredging work in the various harbours on the lakes on which the province of Ontario borders. The policy of the government is to let contracts each spring for work to be done during the season of navigation, and I would suggest to the minister that a better way would be, in the first place, to ascertain the amount of dredging required to be done in each harbour especially, and then call for tenders for the whole work. Let the whole job to the lowest tenderer, and then he would know that when he got his plant on the work it would remain there until the work was completed. The minister will certainly get a lower price for the work under these conditions than if he only lets it for one season, because the contractor may be obliged the following season to move his plant on to some other piece of work, and to tow it there under very large expenditure and risk. I have heard it said that one reason why the government thinks it necessary to own a dredging plant is to prevent a combine amongst the contractors. But if at Port Hope, or Hamilton, or Cobourg, or Midland, or at Victoria, the dredging work to be done on these lake harbours was let to the contractor, not for one season, but for two seasons or five seasons until it was completed, then you would have actual competition among the dredgemen, because the fact that their plant would remain there until the work was completed would be an incentive to them to get down to the lowest possible price. If the minister considers this matter with the officers of his department, I believe he will find that it will tend to the saving of money and the doing of the work more expeditiously than under the present system.

Mr. PUGSLEY. I entirely agree with the remarks of my hon. friend (Mr. German) and I may tell him that the department has adopted that policy and the advertisements now published do not limit the dredging to one season.

Mr. GERMAN. That was the system in the past.

Mr. PUGSLEY. Yes, in most cases, but now we estimate as nearly as we can what quantity of dredging the government is prepared to do in the public interest at these different places, and we call for tenders for the whole work whether it takes one year or two years. I have a remarkable instance of the truth of what my hon. friend (Mr. German) has said in the case of the dredging at St. John harbour, where, before I became minister the work was let for one season, and 90 cents a yard was the lowest tender, but when I became minister it was given to be understood that the contract would not be limited to the one season and the result was that a tender was received to do the work which would run over a number of years, at 39½ cents per cubic yard, or a little over one-third of what had been previously paid when the contract was let for only one year. I believe the adoption of this policy will result in great saving to the country and I shall adopt it as far as I reasonably can.

Mr. BLAIN. I was surprised to hear the hon. member (Mr. German) suggest to the government that it would be unwise to make any expenditure in the harbour of Port Credit, because, as he said, there was a rumour that some company owned this harbour and was desirous of getting public money expended upon it, with the view, I would take it, of making money. Did I understand the hon. gentleman correctly?

Mr. GERMAN. You did.

Mr. BLAIN. If that be the case it will be all in his own family and it has nothing to do with any members on this side of the House. However, I think it is rather a vague rumour. I never heard of such a thing in the county in which the harbour is situated, and I do not think that any person else who lives there ever heard of such a thing being suggested. There is only one reason for expenditure in the harbour of Port Credit and that reason is the public weal. If my hon. friend from Welland will look over the harbour I think he will revise his statement and that he will come back here and suggest that money should be expended on that harbour, no matter what dredging company gets the contract. At all events, the government has a precedent because in years gone by public money was expended there.

Mr. SPROULE. Is this money to be expended for paying the government dredges or for the letting of contracts?

Mr. PUGSLEY. Both.

Mr. SPROULE. The more business-like plan would be for the government to ascertain how much was to be expended in each harbour and then submit an estimate to parliament for the expenditure at each place. The present system leaves a great deal of discretion with the government and they can use this money in almost any way they like. It is sometimes uncharitably said that they occasionally use this money for the betterment of their own friends rather than for the betterment of the harbour. I am not saying whether that is so or not, but as the hon. gentleman from Welland (Mr. German) says it is one of the rumours. I know that there are

instances when, because of urgency, dredging has to be done at a particular place, but in voting these large sums of money for general purposes I do not think we are following a sound principle.

Mr. JAMESON. I would like to be permitted at this juncture to supplement the information which I gave to the minister a few days ago with respect to some dredging which is needed in Western Nova Scotia. I may say, with regard to the port of Weymouth, to which I drew the minister's attention at that time, that I have since been informed by some people who are interested in the shipping business there, that there were originally two channels into that harbour, and that during the time the Hon. Mr. Vail occupied a seat in this House—then I think the Minister of Militia and Defence, and representative of the county of Digby—he had one of those channels dammed up with stone with the view of having the other one opened out by dredging. His idea was that a greater flow of water would pass through the wider channel by reason of the closing of the other one. His anticipation in this was not fulfilled, however, and thereafter no dredging was done there, so that what was a fairly tolerable channel at one time has been blocked up, and no other channel has been substituted for it. The old channel gave twelve feet of water at low tide. The present channel does not give anything like that depth, and a small amount of dredging at the bar, as a beginning would make a very great improvement. I merely submit this for the information of the minister, because he was good enough to say the other evening that the matter would have his careful consideration. Now just a word as to the work that has been done at Weymouth heretofore, and as to the revenues which that port has turned into the public treasury. I am informed by people living in that town, who tell me that they are well assured of the accuracy of their statements, that with the exception of this damming of that one channel, no public money has been expended on improvements there since confederation. They further tell me that between $300,000 and $400,000 has been paid into the public treasury in the way of customs duties collected at that port, and they ask in all fairness that a beginning should now be made in this improvement which the harbour needs, and which I have several times urged on the minister to carry out. I trust that with the additional information which I have given him, he will see his way clear to do a reasonable amount of dredging at that port.

Mr. PUGSLEY. I can only say, as I said before to my hon. friend, that I will give the matter my best consideration. If it were possible to do what is called the necessary work at a reasonable expense, without engaging in the larger scheme, I would be in a different position. Sometimes, when I have done a certain amount of dredging at a particular place, I am told that I should have gone a certain distance, and that unless I carry the work to completion what has been done will be wasted. I want to look carefully into the matter of dredging the mouth of the channel; I cannot say what will be done; but I will give it my very best consideration.

Mr. JAMESON. I am asking that this government redress the injury done by a former Liberal government as a beginning,

Mr. WRIGHT. Is it the minister's intention that this increase in the vote will be spent at the head of the lakes?

Mr. PUGSLEY. This has nothing to do with the expenditure at the head of the lakes. That is a special vote on capital account.

Mr. WRIGHT. This will be scattered, then, over the provinces of Ontario and Quebec?

Mr. PUGSLEY. Yes.

Mr. BLAIN. The minister was going to read a list of the places where this money was to be expended.

Mr. PUGSLEY. The estimated working expenses of the departmental plants, which go about from place to place where dredging is required, amount to $199,100, made up as follows:

Dredge 'Challenge' and plant	$ 8,500
" 'Deschenes'	6,000
" 'International'	13,900
" 'Industry'	16,900
" 'Mattawa'	8,500
" 'Nipissing'	8,500
" No. 3	6,000
" No. 2	6,000
" 'Ontario'	8,500
" 'Ottawa'	13,900
" 'Progress'	13,900
" 'Queen'	8,500
" 'Quebec'	15,000
" 'Richelieu'	8,500
" 'St. Louis'	6,500
" 'Sir Richard'	8,500
Steamer 'Speedy'	13,000
Stonelifter No. 1	2,500
" No. 2	1,000
Tug 'Storm King'	2,000
" 'Blanche'	2,000
Coal steamer 'Rutherford'	2,000
Coal barge 'Sophie Luff'	2,000
" No. 1	1,500
" No. 2	1,500
Contingencies, towing, piling, &c.	3,000
Total	$199,100

These are the expenses of the operating plant in Ontario and Quebec. Then, for the province of Ontario we have under consideration works at the following places: Goderich harbour, Hamilton harbour——

Mr. BLAIN. How much?

Mr. PUGSLEY. I think we have a special vote for Goderich; I should not take that in. At Hamilton we expect to spend $15,000 this year, Kincardine, $24,000; Lion's Head, $24,000; Meaford, $25,000; Port Burwell, Port Elgin, Port Hope, River Thames, Rondeau channel.

Mr. BLAIN. Has the minister the amounts that he expects to spend at each of these points?

Mr. PUGSLEY. These are amounts which have been given as estimates, but I cannot say that we will expend them. Port Burwell $7,800. I do not want to give that figure with confidence, because the engineers have gone into the matter carefully and I think it is going to cost a great deal more than that.

Mr. R. L. BORDEN. Can you give us the basis upon which this estimate has been made up?

Mr. PUGSLEY. It has been made up by the clerk who makes up these amounts from estimates given by the engineering department as to what work is urgently needed at these places. But when we get into the work we might have to change our estimate very considerably. Then, there are Rondeau, Sarnia, Point Edward, Telegraph island, Nigger island, Wiarton, Waubaushene, Thessalon, Wingfield Basin, Oakville, Owen Sound, Whitby and quite a number of other places along the lakes.

Mr. BLAIN. Are all these harbours owned by the government?

Mr. PUGSLEY. Not all owned by the government, but they are public harbours.

Mr. BLAIN. Does my hon. friend expect that any portion of this amount will be expended on harbours that are not owned by the government?

Mr. PUGSLEY. None, unless it might be that we might do something at Port Credit. I have not shut the door against it. Then, in Quebec there are Chateauguay, Chicoutimi, Rimouski, River Batiscan, Rivière du Loup en Haut, Rivière du Loup en Bas, Fraserville, Louisville, River Godfroi, River Jesus, River L'Assomption, River Maskinonge, River Nicolet, River St. Francis, St. François du Lac Landing, River St. Maurice mouth, River Saguenay, River Yamache, River Yamaska, St. Pierre Becquets, St. Placide, Three Rivers, and other places. There is dredging work required at Valleyfield, and also at St. Louis river. I am not prepared to give all the different places at the present time. We will not be able to do nearly all the dredging that has been applied for, and which has been urgently recommended by the resident engineers. We will require the amount we are now asking in order to do a reasonable amount of work with the government dredges, and by contract during the coming season.

Mr. JAMESON. Will the minister state where he intends to spend this money in the maritime provinces?

Mr. PUGSLEY. I went into that the other evening. There is no need of my repeating it now, because the hon. gentleman will find it in 'Hansard.'

Mr. JAMESON. I think he mentioned some places, but he was not prepared to give all the places at which there might be an expenditure.

Mr. PUGSLEY. I named a large number of places where dredging is required, but I said that I was not able to name all the places. I am not yet able to name them all. We cannot hope to overtake all the work during the present year.

Mr. R. L. BORDEN. No, but when the minister is asking $675,000 for the maritime provinces that proposed appropriation must be based on some estimate in the department. I do not suppose that the officers of his department go at it blind in striking an estimate of $675,000, just as their fancy may dictate, but it must be based upon a supposed requirement. I would suppose that that requirement must also be based upon the details of the expenditure proposed at different places. I think it would greatly assist the committee if the minister would give that information. I can hardly conceive that it does not exist.

Mr. PUGSLEY. With respect to the different places where dredging is required we have reports made of the estimated quantities, and from these reports we ask for a certain amount for dredging. The amount we are asking for we know will not do the work at all these places.

Mr. R. L. BORDEN. I know, but would not the officer say something like this: Here are twenty-five places; well, there are twenty of them in which we must do dredging to a certain amount at this place; and so he would arrive at the estimate of $675,000? I cannot understand how that estimate is arrived at unless it be by some such method as that or by mere rule of thumb.

Mr. PUGSLEY. It is neither one nor the other.

Mr. R. L. BORDEN. Well, what is it?

Mr. PUGSLEY. Take the dredging required in the provinces of Ontario, and Quebec to-day, and which might with advantage be undertaken in the public interest, and I am sure it would run up to several millions of dollars. But, we cannot

do all that at once. Therefore, I endeavour to get from my colleagues as much as I can. We have asked for $675,000, and we will have to use this in the places where it is most urgently required in the public interest. If my hon. friend will look through the newspapers he will see that we are advertising for dredging in Ontario, and Quebec, specifying the different places where work is to be done this year.

Mr. R. L. BORDEN. I do not think the minister has misunderstood although one would almost gather from his remarks that he had. I thoroughly understand that a great many millions of dollars are probably required for dredging purposes in Quebec, and in the maritime provinces and that the work must be performed in the next ten or fifteen years. But I am not talking now about the cost of work to be done in the next fifteen years; I am talking about this year for which an appropriation of $675,000 is asked, and I am asking what seems to me to be an obvious question—at what places do you propose to expend that, and how much do you propose to expend at each place? I suppose that the appropriation must be based on some estimate of that kind? If it is not based on an estimate of that kind I will venture to suggest that it must be upon the rule to which I have already alluded.

Mr. PUGSLEY. I did not mean by the statement I made that this dredging at these different places would not be required for a number of years. What I intended to say was that if we were to undertake to do the work in the different places in Ontario and Quebec, in which at this very moment it would be desirable to do dredging in the public interest it would run up to two or three, or perhaps four times the amount that we are now asking.

Mr. R. L. BORDEN. I did not say that at all. I said that you might profitably expend perhaps $10,000,000 in dredging this year, but you are doing only $675,000 worth. Where are you going to do it, and how much are you going to expend in each place?

Mr. PUGSLEY. I could give that to my hon. friend to-night because the advertisements for dredging in Ontario and Quebec are actually out.

Mr. R. L. BORDEN. I would like to have it.

Mr. JAMESON. If the minister would furnish the same information in regard to the maritime provinces, I would be very glad.

Mr. PUGSLEY. I have not it for the maritime provinces. We are working at it, but we have not it completed. It will be ready some time next week.

Mr. PUGSLEY.

Mr. R. L. BORDEN. I would like the minister to produce that before the estimates are brought up again.

Mr. BLAIN. Would the minister also bring down a list of the newspapers in which these advertisements are inserted in Ontario?

Mr. PUGSLEY. Probably I could. I can assure my hon. friend they are not inserted in many Conservative papers. In fact, I cannot recall any at the moment.

Mr. BLAIN. Perhaps I could make it easier if I asked my hon. friend to supply the committee with a list of the Conservative papers in which it is inserted.

Mr. PUGSLEY. I will give that to-night. I think it will be a plain sheet of white paper with no mark on it.

Mr. DANIEL. The minister has not brought down the information asked with regard to some scows hired from the government by the Maritime Dredging and Construction Company?

Mr. PUGSLEY. I got the dimensions, but I will be glad to get the other information, I had forgotten about it.

Mr. WRIGHT. A good deal of objection has been taken to the method of computing the work done by contractors by measuring in the scows, and some people think that the measurements might be made in the ground originally staked out requiring excavation to a certain depth over a certain measured area. If they are measuring by scow, it has been publicly stated in the House that the scows frequently go out with half loads and half measurements, and sometimes without any one making any measurement whatever.

Mr. PUGSLEY. It would be possible to have the survey made so as to take the measurements in situ, but with the dredging of harbours and rivers, which is done by the Public Works Department, that would involve a great deal of additional labour and expense at the outset. It is done in the Railway Department, in canal work, but there, of course, the dredging is confined to a narrow and well-defined space, and it can be done much more easily than it could be in ordinary harbour and river work. In regard to my hon. friend's statement that it is stated that in many cases scows go out with half a load and that there is no proper measurement, I have heard that statement made, but I have never heard it verified——

Mr. R. L. BORDEN. We have had one very distinct case.

Mr. PUGSLEY. By any one who pretended to know anything about it? I have never heard that any quantities were paid for which were not actually placed in

scows. It may be that that has occurred in some cases, but we are taking every precaution to prevent it. While, no doubt, there would be some advantages in measuring in situ, there would be difficulties in connection with it in river and harbour work, where the areas cannot be as well defined as in canal work.

Mr. SPROULE. A great deal of it seems to be mere guess work when measurement is done on the scow. Whose judgment prevails as to the quantity on a scow? Take the case cited from the Midland district where the inspector is an employee of the scow company, paid partly by the scow company and partly by the government.

Mr. PUGSLEY. That is not the case.

Mr. SPROULE. That was the case brought out under oath right in the Public Accounts Committee.

Mr. PUGSLEY. There might be one case of that kind, but the man would be dismissed the moment it was discovered.

Mr. SPROULE. It was brought out as well that he was not on the dredge at all for an hour or two in the morning. Who measured the scows then? Somebody. It is these things that create suspicion.

Mr. PUGSLEY. In the case referred to, the inspector was employed by the dredging company in the winter making some repairs on a dredge; he was not employed by them in the summer. Even that might be considered improper, as it might tend to favouritism. Ordinarily we believe the inspectors do their duty thoroughly well, and, as I have said, we require that the returns must be made under solemn declaration, which is just the same as making them under oath. In one or two instances where the inspectors were not careful they were instantly dismissed the moment the matter came to the notice of the department.

Mr. SPROULE. I gave that one case, and my remembrance of it is that the man was employed not only in the winter, but in the summer as well. Then there is another case where an inspector was walking around the city in hotels, etc., while the scow was working. How was the inspection made then?

Mr. PUGSLEY. Where was that?

Mr. SPROULE. It was in Owen Sound, and yet that was said to be correctly and properly done.

Mr. PUGSLEY. That would be said to be most improperly done and the man would be dismissed instantly.

Manitoba, $26,250.

Mr. PUGSLEY. This is to provide for dredging work in the province of Manitoba. The dredging there is done by a plant owned by the government, and this is for the purpose of operating that plant.

Mr. BLAIN. In what waters will this money be expended?

Mr. PUGSLEY. At the mouth of Red river, where it empties into Lake Winnipeg; also some work is asked for in Lake Manitoba and Lake Winnipegosis.

Mr. BLAIN. Have advertisements been published in the newspapers in the province of Manitoba?

Mr. PUGSLEY. There will be none, because this is our own plant.

Dredging—British Columbia, $225,000.

Mr. PUGSLEY. This is for the purpose of operating the government plant in British Columbia. The dredging is to be done on the Fraser river, at Victoria, at Vancouver and at Nanaimo, and a number of other places. There are a number of snag boats working on the Thompson and the Skeena rivers, and dredging will be done upon the Arrow lakes, and probably on the Kootenay and Okanagan lakes. We are also asked to do work on the north arm of the Fraser river.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

House again in committee on Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company, Limited—Mr. Pardee.

Mr. MIDDLEBRO. May I ask the right hon. the Prime Minister if it is the intention to go on with this Bill to-night?

Sir WILFRID LAURIER. Unless there is objection.

Mr. MIDDLEBRO. I was informed there was an understanding that it would not be gone on with to-night. I know that a number of members wish to speak on it.

Sir WILFRID LAURIER. My impression was that it was the Bill respecting the Ottawa, Brockville and St. Lawrence Railway Company that was not to go on to-night. However, if there is any objection it may stand.

Mr. LENNOX. I think it had better stand, because I understand there is to be an amendment proposed, and we have not yet had an opportunity of considering that amendment.

Progress reported.

RESTIGOUCHE BOOM COMPANY.

House in committee on Bill (No. 150) respecting the Restigouche Boom Company —Mr. J. Reid.

Mr. PUGSLEY. I would like to ask my hon. friend the Minister of Agriculture (Mr. Fisher) if this Bill, as it is now printed, was agreed to by all parties before the committee?

Mr. FISHER. Yes, I think the difficulty with regard to riparian ownership has been completely solved.

Progress reported.

HAMILTON, WATERLOO AND GUELPH RAILWAY COMPANY.

House in Committee on Bill (No. 79) respecting the Hamilton, Waterloo and Guelph Railway Company.—Mr. Harris.

Mr. J. A. CURRIE. I was informed by the Prime Minister last night that this Bill would not be taken up to-night, and I so notified several members who wished to be present when it was considered.

Mr. PUGSLEY. The Prime Minister evidently thought it was the Bill referring to the Ottawa, Brockville and St. Lawrence Railway Company that was to stand.

Mr. J. A. CURRIE. No, this is the Bill I spoke to him about.

Mr. PARDEE. Why should the Bill not go through?

Mr. J. A. CURRIE. Because the members for Toronto are not present.

Mr. PARDEE. The members for Toronto agreed absolutely to the amendments. I was a member of the subcommittee, and I know the amendments were drafted by Mr. Bristol.

Mr. J. A. CURRIE. I informed the hon. member for South Toronto that the Bill would not come up to-night, and I think it is very unfair that it should be called after my understanding with the Prime Minister.

Mr. PARDEE. The hon. member for South Toronto is in town to-night, and I know that the amendments were drafted by the hon. member for Centre Toronto, who first opposed the Bill strenuously in committee. His amendments were accepted and inserted in the Bill.

Mr. J. A. CURRIE. I would prefer that the members for Toronto should be present, and I certainly understood from the Prime Minister that the Bill would not be called to-night.

Mr. PUGSLEY. Evidently it was the Ottawa, Brockville and St. Lawrence Bill that the Prime Minister had in his mind.

Mr. LENNOX.

Mr. J. A. CURRIE. Then he made a mistake about it, because I am not interested in the other Bill, and I am interested in Toronto.

Mr. PUGSLEY. Does the hon. gentleman know any reason why the Bill should stand over?

Mr. J. A. CURRIE. Because we desire to debate some of the clauses, and only the member for East Toronto is present. Last night I informed the mayor of Toronto that the Bill would not be called to-night and he said in that event he would go home.

Mr. BLAIN. The request of my hon. friend (Mr. Currie) is a reasonable one.

Mr. PUGSLEY. Oh certainly, under the circumstances I would suggest that progress be reported.

Progress reported.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 164) respecting the Grand Trunk Railway Company of Canada.—Mr. A. H. Clarke.

Bill (No. 169) respecting the Montreal and Southern Counties Railway Company. —Mr. Geoffrion.

Bill (No. 157) an Act for the relief of Cecilia Marie Pringle.—Mr. Price

Bill (No. 153) for the relief of James Albert Green.—Mr. Prowse.

Bill (No. 158) for the relief of Ada Ann Reed.—Mr. Nesbitt.

Bill (No. 162) for the relief of Alexander A. Barthelmes.—Mr. W. M. Martin.

Bill (No. 170) to incorporate the Catholic Episcopal Corporation of Timiskaming. —Mr. George Gordon.

Bill (No. 167) to incorporate the Montreal, Kapitachuan and Rupert's Bay Railway Company.—Mr. Gervais.

SECOND READINGS.

Bill (No. 183) to incorporate the Ottawa, Rideau Valley and Brockville Railway Company.—Mr. Devlin.

Bill (No. 189) to incorporate the Protectorate Life Insurance Company of Canada. —Mr. Turriff.

CONSERVATION OF NATURAL RESOURCES.

Mr. ARMSTRONG. Mr. Speaker, before you leave the Chair, I would like to ask a question. The Minister of Agriculture has a Bill on the order paper intituled an Act respecting the Commission for the Conservation of Natural Resources. Previous to the New Year I introduced a Bill with the object of amending the Act respecting the

Conservation of Natural Resources. That measure is a most important one, in my opinion, and if that Bill could be attached to the Bill of the Minister of Agriculture so that it could be discussed at the same time——

Mr. DEPUTY SPEAKER. I am afraid I cannot let the hon. member proceed, as the House goes automatically into Committee of Supply, which was interrupted at six o'clock.

SUPPLY.

Dredging—British Columbia, $225,000.

Mr. BLAIN. The minister promised to bring to the committee a list of newspapers in the province of Ontario in which the advertisements were inserted for the dredging that is to be done next year.

Mr. PUGSLEY. I have the list. While we are on the subject of dredging, I wish to correct an error into which I fell while discussing the cost of dredging plant. I was interrogated as to the cost of the dredge 'Industry', and I stated that the original price as agreed upon was $150,000, and that then a defect had been found, as we thought, in the boiler under the Canadian Inspection Law, and we then offered to the owners of the dredge to take the dredge if $10,000 were deducted for the boiler, we concluding that it would be desirable, if not necessary, to have a new boiler placed in the dredge. The new boiler cost $9,300, and I stated to the committee that the old boiler belonged to the government. In that I was in error. I learned afterwards from Captain Howden, the superintendent of dredging, that when the price of the dredge was reduced by $10,000, which was the estimated cost of the new boiler, he agreed that the owners should receive the old boiler, so that when it was taken out of the dredge it was their property, and not the property of the government. I take this, the earliest opportunity, to correct the error into which I fell. My hon. friend wanted a list of the Conservative newspapers in which these advertisements for tenders were inserted. I shall send it to him.

Mr. BLAIN. I would rather my hon. friend made a statement to the committee and it would go down on 'Hansard'. He has handed me what I did not want, and has failed to hand in what I did require. My hon. friend has sent over a blank paper, suggesting that no advertisements have been inserted in Conservative papers in respect to dredgiing. I would rather have a list of the newspapers in which the advertisements have been and are inserted for the dredging during the coming summer.

Mr. PUGSLEY. My hon. friend will remember that at first he wanted that and afterwards he said the other would do. Finding there were no advertisements inserted in Conservative newspapers, I gave him that.

Mr. BLAIN. Although my hon. friend says that patronage list has been eliminated from his department, it appears no advertisements are inserted in Conservative newspapers in Ontario. The list will include all leading Reform newspapers in Ontario. Take for example the city of London. Why does he insert the advertisement in a newspaper with a much smaller circulation and refuse to insert it in the leading newspaper of that city, the 'Free Press', which has admittedly the largest circulation in London or in the western part of Ontario? The ministers seek to leave the impression that the patronage lists have been eliminated, but it is evident from this that in regard to newspapers he has continued the patronage list.

Mr. PUGSLEY. My hon. friend will see when the list is produced that the circulation of these papers is so large that all possible dredging tenderers would have ample notice of the call for tenders and that it would be a waste of public money to have given any wider or fuller advertisement.

Mr. BLAIN. The only explanation of the minister's course in the case of London is that he inserts the advertisement in papers supporting the government, unless there is some explanation of which I do not know.

Mr. PUGSLEY. I do not think that a gentleman with the long political experience of my hon. friend desires any explanation. It is not customary for governments to advertise works in newspapers owned and controlled by their opponents unless it is necessary in order to give publicity.

Mr. SPROULE. Does the minister not think it is trifling with the committee to present a blank sheet of paper purporting to give information that the House desires? Some members of the government have declared in this House that the patronage system had disappeared and that the advertisements for contracts were given to all papers, regardless of their political leanings.

Mr. PUGSLEY. I desire to say that I never made such a statement, and I never heard any such statement made by a member of the government as to advertisements in newspapers. That I regard as a very different thing from a patronage list. Early in this session, and at all times when I have spoken with reference to it, I have said that if, in my opinion, a sufficiently wide circulation can be given by putting

advertisements in friendly newspapers, I will do that.

Mr. SPROULE. The minister said he did not say that in this House. If I am right in my memory, he sat in his seat when the Minister of Railways declared in this House that he selected no newspapers, and that he defied contradiction to the statement that he had given these advertisements to papers indiscriminately, and that it was a good thing. If it was a good thing for the Department of Railways and Canals, it must be an equally good thing for the Department of Public Works. My hon. friend from Peel (Mr. Blain) desired to ascertain whether that principle is being carried out, and for that reason he asked questions. Now, had it been carried out, and had a list been brought down showing that those advertisements had appeared in a number of Conservative newspapers, it would have been conclusive evidence that the principle was being carried out. But the minister did not attempt to carry it out, and he is trifling with the House when he brings down a piece of blank paper and says: I have not got the other list here.

Mr. PUGSLEY. No, I was requested to produce a list of the Conservative papers in which this advertisement appeared.

Mr. SPROULE. He was first required to produce a list of all the papers in which these advertisements appeared.

Mr. PUGSLEY. That request was withdrawn, and my hon. friend asked me to bring down a list of the Conservative papers.

Mr. SPROULE. No, the minister is wrong, and is going back on his word.

Mr. PUGSLEY. Mr. Chairman, I rise to a point of order. My hon. friend has used language which is unbecoming a member of this House in regard to myself; he says I have gone back on my word, and insinuates that I have endeavoured to mislead the committee. My hon. friend surely ought to withdraw that.

Mr. SPROULE. I have nothing to withdraw, because I was listening to what he said. After six o'clock this list was to be produced, but afterwards the order was changed.

Mr. DEPUTY SPEAKER. If the hon. member for East Grey (Mr. Sproule) states that the Minister of Public Works has gone back on his word, I think that expression would be out of order.

Mr. SPROULE. Surely I ought to be allowed to give the version of my understanding of what the minister said. If he denies it, then I accept his denial. I have given my understanding of what he said, but he afterwards suggested the change, and the member for Peel innocently fell into it and accepted it, assuming that the principle was being carried out in its entirety; and if that list had been brought down showing that the advertisement had appeared in a number of Conservative newspapers, the fact would be self-evident.

Mr. PUGSLEY. If, as a matter of fact, these advertisements did not appear in any Conservative newspaper, and if the member for Peel did ask me to bring down a list of Conservative papers in which the advertisements appeared, could I do anything else than give him a blank sheet, if I desired to give correct information to the House?

Mr. SPROULE. I think it was beneath the dignity of any minister of the Crown to mislead any member of this House. Knowing as he did that there were no such papers, he should have been frank enough to tell the House so, and that would have obviated the necessity of bringing down a blank sheet. By refusing to put these advertisements in leading Conservative newspapers, the minister has caused the country to suffer loss. He gave us to understand some time ago that that system was all changed, and several ministers took credit to themselves for introducing a new and better system. Both the Minister of Railways and Canals and the Minister of Marine and Fisheries, or the acting minister, gave the country to understand that they had turned over a new leaf, but now we find that they are still adhering to the old and vicious practice, to the loss and detriment of the public service.

Mr. BLAIN. The minister rather questioned my statement when I said that the dredging advertisement appeared in only one of the leading newspapers in the city of London.

Mr. PUGSLEY. No, I said I did not know myself in what paper it appeared, and I took my hon. friend's statement as being in effect that he had seen it.

Mr. BLAIN. I have before me a copy of the London 'Advertiser' of March 31. in which I find the advertisement: 'Tenders for dredging—Sealed tenders addressed to the undersigned,' &c. Now, that is a newspaper in the city of London having a fair circulation. I have before me the other leading newspaper of London, the 'Free Press,' which has a very much larger circulation, which is found in almost every home in London and western Ontario. In that newspaper I do not find the advertisement, therefore, I had the right to assume that it did not, and does not, appear in the leading newspaper of London, but it does appear in the newspaper that supports the government of my hon. friend.

Mr. PUGSLEY. And which is a leading newspaper.

Mr. BLAIN. Which is a leading newspaper. Then my hon. friend admits that there is still a patronage list in his department, no matter what may be found in the Department of Railways and Canals? Therefore, we are to understand that the policy of my hon. friend in the future will be, as in the past, to seek out papers that support his government in the province of Ontario, and put them on the patronage list. But any newspaper that does not support this government, no matter how important it may be, will not be given an advertisement by his department. Might I suggest to my hon. friend that he should take a lesson out of the book of his colleague, the Minister of Railways and Canals, who rather boastingly announced on the floor of the House that a new departure had taken place in his department? How does my hon. friend explain that it is a good thing to abolish the patronage list in the Railway Department and not in my hon. friend's department?

Mr. PUGSLEY. I think that the patronage list, as we all understand it, has been abolished in the Department of Public Works, just as it has been abolished in the Department of Railways and Canals. I was not here when my hon. friend the Minister of Railways and Canals made the statement which he is alleged to have made, but I must assume that if he did make the statement that advertisements were published in newspapers representing both sides of politics he was referring to special advertisements, such as the time tables on the Intercolonial railway, where it is desirable to give widespread information to the mass of the people. That is a very different thing from publishing advertisements which were intended to reach the eyes of contractors. The contractors follow pretty generally the advertising matter contained in all the leading newspapers, and advertising for tenders in more than two or three of the leading newspapers in the city of Toronto, for instance, in papers like the Toronto 'Globe,' which has a wide circulation all over Ontario, and, indeed, I may say all over Canada, and in a number of other leading newspapers in the province where the contracting work is done, gives ample notice, and it would really be a waste of money to extend the matter further and advertise in papers which are opposed to the government. It is easy for my hon. friend to make these hypocritical speeches, but he knows that if he were in my position to-morrow he would not put a single advertisement in a Liberal newspaper. I know that just as well as my hon. friend does.

Mr. BLAIN. How does the hon. gentleman know it?

Mr. PUGSLEY. I know it from my hon. friend's appearance. I know it by the satirical look that the hon. gentleman has in his face, the look of a man who is trying to take a rise out of his fellow man. I know my hon. friend is just joking when he suggests that we should advertise every ordinary contract, such as dredging work and the erecting of a building, in the opposition newspapers. If it should happen that in any locality we could not give an advertisement sufficiently large circulation through friendly papers we would feel it due to the public to give the advertisement to the newspapers of our opponents.

Mr. ARMSTRONG. It is humiliating to hear such a statement from a minister of the Crown. There is no use of mincing the matter; he states plainly that he has made up his mind that he will not advertise in a Conservative newspaper. The hon. gentleman must know that if he carries out this policy he cannot do justice to the public, that the people who are reading the Conservative newspapers are perhaps half of the people of Canada, and if he wants to get the best tenders for the work which he is going to undertake he should advertise in the papers that would be likely to be read by the bulk of the people instead of by a small class. At five o'clock this afternoon I received from the office upstairs a return showing the amount of money that this government is expending on newspapers all over the country. I have not had time to go over it, and I do not see amongst these papers a statement of the money expended by the Department of Public Works. I shall expect to see it, however, before the return can be considered complete. What I asked for, as far as the Department of Public Works is concerned, was an order of the House showing the total amount paid in each year since 1896 for all printing and advertising done outside of the government printing bureau. Last year the Department of the Interior expended $167,404.84 for advertising in newspapers, not altogether in Canada. This money was distributed amongst nearly 700 firms or newspapers. Perhaps 600 of them would be in Canada. The minister may think that that is a splendid position for the Minister of the Interior to take.

Mr. PUGSLEY. It has helped to produce splendid results in the way of immigration.

Mr. ARMSTRONG. Yes, but how much better might these results have been had that money been distributed in a non-partisan way instead of in the way the minister would advise the money to be distributed? The same department, for printing, distributed $95,393 to practically the same firms as my hon. friend might see if he went over the list. For lithographing they paid out $4,509. In that department,

$267,307 and $11,620 were expended for foreign printing and advertising. The bulk of that sum was expended in the Dominion of Canada. For what purpose? For the purpose of influencing—may I say—the press of this country, and if you look through the returns which I have here you will find that practically every dollar of that money went to the Liberal press of this country. How can you expect that the Liberal press is going to do justice to what is transpiring on the floor of this House if you are going to give them, for advertising, printing and lithographing, $500,000 per annum, making a rough estimate? There is $500,000 per annum going to buy up, to a certain extent, the Liberal press, and according to the statement of the Minister of Public Works to-night, none of the Conservative newspapers may expect, unless they will truckle and bow the knee to this government, that they will get one dollar of the money that is being expended. Is that a statesmanlike position for a minister of the Crown to take? I cannot conceive that one in his position can feel that he is doing justice to his department or to the people of Canada in taking the position that he has taken to-night, and I am surprised to hear him make such a statement. I sincerely hope that before the session closes I may be able to show to his satisfaction that he is neglecting his duty as a minister when he arrogates to himself the right to say that he will distribute the people's money to the press that will support his government, no matter what kind of trickery and corruption they may carry on. I am satisfied that when the people realize that $500,000 of their money is going into the ink pots of the government to bolster up their position they will resent it as well as the statement that he made to-night, that he will not advertise in one of the opposition papers.

Mr. W. M. MARTIN. Prior to 1896, did the hon. gentleman ever see a government advertisement in a Liberal newspaper? Has he during the past three or four years seen an Ontario government advertisement in a Liberal newspaper?

Mr. ARMSTRONG. Yes, sir, the Ontario government advertises in the Toronto Globe.

Mr. W. M. MARTIN. That is the only instance.

Mr. ARMSTRONG. Not at all, they are advertising in other Liberal newspapers. But why should gentlemen opposite be continually bringing up what happened before 1896. If the Conservative government erred then, is that any reason why to-day $500,000 of the money of the people should year after year be turned over to Liberal newspapers in Canada, and as every one knows, the minute any one of these newspapers says a word against the government they are shut off from participation in the funds. The minister knows very well that in the city of Halifax government patronage has been withdrawn from Liberal newspapers that said anything against the government.

Mr. PUGSLEY. I know nothing of the kind.

Mr. ARMSTRONG. Why, the minister has told us that if a paper does not support the government it need not expect a dollar in the way of printing.

Mr. PUGSLEY. I have not said that.

Mr. ARMSTRONG. The minister has not said it in so many words, but that is the inference from his remarks.

Mr. SPROULE. The Minister of Public Works stated that only time-tables, and so on, were advertised by the Department of Railways in the Conservative newspapers, but as a matter of fact, advertisements for supplies for the Intercolonial are published in the Conservative newspapers. The Minister of Railways told us that he believed it good policy to advertise in all the newspapers, and he intended to do it, and I believe the acting Minister of Marine does the same thing.

Mr. TALBOT. Does the hon. gentleman not think it would be looked upon as a huge joke all over the country if they saw a Liberal government advertising in Conservative newspapers.

Mr. SPROULE. I am not here to judge of jokes now.

Mr. HENDERSON. If I were to express an opinion on this matter I would differ from the Minister of Public Works, as well as from the hon. gentleman (Mr. Armstrong). I do not think that any of us on this side are expecting that the Conservative press should receive any large amount of patronage from the present government, but I do believe that the government would find it a better plan if tenders were advertised for through the 'Canada Gazette,' and if the advertisements were not published in any newspapers, either Conservative or Liberal. If my suggestions were carried out the contractors would all look to the 'Canada Gazette' for such advertisements, and if the government adopted that system it would be more satisfactory all round. But what I rose to speak about was another matter. The minister was good enough to mention Oakville, in the county of Halton, as one of the places where dredging would be done this summer. As we have passed into the fiscal year 1911, the money is now available for that work, and I would impress upon the minister the great necessity of having the dredging done at Oakville as

early as possible. It is not possible for the steamers passing from Toronto to Hamilton to call at Oakville harbour at present, and it is very desirable that whatever dredging is to be done should be done early in the season. Can the hon. gentleman tell us when we may expect a government dredge at Oakville?

Mr. PUGSLEY. I am fully seized of the importance of the work at Oakville, but I regret that I cannot say just when the dredge will be sent there. We have numerous demands from different sections of Ontario, but I may say to my hon. friend that we intend to have the work done at Oakville as soon as possible.

Slides and booms—Saguenay district—new booms, alligator tug, and additional equipment, $10,000.

Mr. SPROULE. How much of this is for booms, and how much for the tug?

Mr. PUGSLEY. It is estimated that the tug will cost $3,500, the booms $5,000 and $1,500 for chains and such appliances.

Mr. SMYTH. What is the capacity of an alligator tug that will cost $3,500?

Mr. PUGSLEY. I do not know, but I am informed that that is about what we paid for one previously.

Mr. SMYTH. I have one of the largest alligator tugs made, and I can tell my hon. friend that I never had to pay for such a tug within $1,000 of what he estimates.

Mr. PUGSLEY. What is your alligator tug worth?

Mr. SMYTH. $2,500.

Mr. PUGSLEY. What is the capacity.

Mr. SMYTH. Fifty horse-power, and I think 62 feet long. I am doubtful if the minister knows what an alligator tug is?

Mr. PUGSLEY. The minister knows more than you think.

Mr. SMYTH. What is it?

Mr. PUGSLEY. An alligator tug is a tug that goes over land and water; is that right?

Mr. SMYTH. Quite right.

Mr. BLAIN. Who manufactures tugs in Canada?

Mr. PUGSLEY. I am unable to say. Mr. Howden, the superintendent of dredging, purchased the last one. Of course we will get it at the lowest price possible.

St. Maurice district—improvements to slide and boom works, &c., $40,000.

Mr. PUGSLEY. Extensive pulp mills and other large manufacturing establishments on the St. Maurice river render these improvements absolutely essential.

Mr. SMYTH. Are these cedar booms?

Mr. PUGSLEY. Some; we use a good deal of British Columbia fir in them. They will be, speaking generally, 3 or 4 ply storage booms.

Chapeau bridge over the Culbute channel of the Ottawa river, $25,000.

Mr. PUGSLEY. There was an appropriation of $15,000 made for this work at the last session of parliament, but we did not use it. We have now let the contract, and we require this $25,000 to make payment. The province of Quebec contributes $5,000 towards the bridge.

Mr. BLAIN. Is it a new structure?

Mr. PUGSLEY. Yes, a traffic bridge

Mr. SPROULE. It is in the province of Quebec, I understand?

Mr. PUGSLEY. It is to all intentions and purposes an interprovincial bridge. It is to replace an old bridge which was built 40 years ago by the federal government and has been repaired from time to time since by that government. The Ottawa river at that point forms the boundary between the provinces of Ontario and Quebec. It happens that the Culbute channel over which the bridge is built is actually in the province of Quebec; but the other channel is in the province of Ontario, and there is a ferry from the island to the Ontario side, so that it is all one system of interprovincial communication.

Mr. SPROULE. I am not objecting to it, because if it is an interprovincial bridge, I think that fact would justify the expenditure; but I do not think the minister has admitted the principle that we should erect bridges over streams unless they are required for railways or something like that.

Mr. PUGSLEY. The principle has been admitted for many years of constructing with federal money bridges which connect two provinces. In some cases the provincial authorities contribute and in some cases they do not.

Mr. SPROULE. I admit that the federal government have granted subsidies, but I do not think they have taken the responsibility of building these bridges themselves.

Mr. PUGSLEY. Yes, there are two or three on the Ottawa river which have been built by the federal government, including the Chaudiere bridge at Ottawa.

Courtenay bay—Marsh road—to provide for one-third of cost of rebuilding aboiteau on road to protect marsh and Intercolonial railway property at St. John, New Brunswick, the remaining two-thirds of cost to be contributed by provincial government and city of St. John, $8,000.

Mr. PUGSLEY. This work is to be carried out by the city of St. John, and the cost is to be borne jointly by that city, the provincial government and the federal government, as all three bodies are interested—the city by reason of the bridge being within the city limits, the provincial government by reason of its being interested in the marsh road, which is a public highway, and the Dominion government by reason of the fact that the aboiteau prevents the tide flowing over the marsh and the Intercolonial railway property.

Mr. BLAIN. Are public tenders invited for this work?

Mr. PUGSLEY. Yes, by the city of St. John, which has awarded the contract accordingly, and when it completes the work we will pay our one-third.

Mr. BLAIN. Has my hon. friend's department any inspection over the work?

Mr. PUGSLEY. No. It is being done entirely by the city of St. John.

International bridge across the River St. John, between St. Leonard, New Brunswick, and Van Buren, Maine, the state of Maine contributing an equal amount, $37,500.

Mr. PUGSLEY. This is to construct a bridge which is very much needed in the public interest, as there is a great deal of intercourse carried on ferries at this point. The legislature of the state of Maine has passed a law engaging to contribute one-half the cost of this bridge, and we have thought it advisable in the public interest to contribute the other half.

Mr. SPROULE. Is this an ordinary traffic bridge or a railway bridge?

Mr. PUGSLEY. It is an ordinary traffic bridge, and is to be free.

Mr. SMYTH. Under which government is it constructed?

Mr. PUGSLEY. It is to be constructed under a joint arrangement between the Department of Public Works here, and the Public Works Department of the state of Maine.

Interprovincial bridge across River Ottawa at Hawkesbury; the Ontario and Quebec governments to contribute each $15,000, $50,000.

Mr. PUGSLEY. This bridge has been pressed upon our attention for a considerable time as being very necessary in the public interest. The total probable cost is $116,300.

Mr. BLAIN. Who has charge of the construction?

Mr. PUGSLEY. The Public Works Department.

Mr. SPROULE. This will be another free traffic bridge?

Mr. PUGSLEY. Yes.

Interprovincial bridge over Restigouche river at Metapedia; the local governments of Quebec and New Brunswick each to contribute $5,000, $25,000.

Mr. PUGSLEY. Out of this vote we will use $14,705 to pay the Department of Railways for the iron that goes into the superstructure, and the balance will be used towards making a payment on the contract for the bridge.

Mr. SPROULE. What is the total estimated cost?

Mr. PUGSLEY. $62,705. It is a steel bridge with stone substructure.

Mr. SPROULE. This is going to be a free bridge too, I suppose?

Mr. PUGSLEY. Yes.

Ottawa city—bridges over the Ottawa river, the slides and the Rideau canal and approaches thereto—ordinary repairs and renewals and maintenance, $12,000.

Mr. PUGSLEY. This is the usual amount required to make the ordinary repairs to the four bridges which we maintain.

Mr. U. WILSON. Does the government maintain all bridges over the canal?

Mr. PUGSLEY. Not all. The city of Ottawa has some bridges. I think these four bridges are all the government maintain. Of course the Railway Department may maintain some over the canal.

Mr. U. WILSON. Why do you maintain some bridges and not others?

Mr. PUGSLEY. The Chaudière bridge over the Ottawa is interprovincial. Some of the bridges over the canal were built many years ago by the government, and in 1882 an agreement was entered into by the late government that the government should maintain these bridges; the government has recognized its obligations and has maintained them. As to new bridges which the city might construct a new rule would apply.

Mr. U. WILSON. The Laurier bridge?

Mr. PUGSLEY. That was built by government 35 or 40 years ago, and replaced ten years ago.

Dominion traffic bridges throughout Canada, including approaches generally, $5,000.

Mr. PUGSLEY. This is the usual vote to repair works of this character for which there is no special vote.

Mr. BURRELL. I thought it was the policy of the government not to contribute anything towards bridges except to companies, that is, not to contribute to provincial government bridges. I understood

the minister took that stand in reference to bridge matters in British Columbia some time ago, but it is evident that the government have assumed financial responsibility on a lot of provincial bridges which the provincial governments have been partially assisting, the great burden of the expense falling on the Federal government. I would like the minister to explain that in reference to his refusal to grant assistance in the British Columbia case some years ago. I think the matter came up in reference to the New Westminster bridge.

Mr. PUGSLEY. British Columbia in this respect has been treated exactly the same as the other provinces of Canada, there has been no distinction. There have been applications from Ontario and other provinces. I think I remember an application from British Columbia and others from other provinces of Canada, but the government, ever since Confederation, has taken the view that where a bridge is wholly within a province, and cannot in any sense be regarded as interprovincial, it would not recognize that bridge as a Federal work or one that ought to be attended to by the Federal government, but rather that it was a matter for the provincial governments or municipalities to look after. In the case of interprovincial bridges a different view has prevailed. The practice ever since confederation has been for the Federal government to build interprovincial bridges, bridges across rivers connecting two provinces, or in some cases connecting Canada with the United States, the river being a boundary river. All these bridges for which votes have been asked to-night are interprovincial or international bridges. In that respect they differ entirely from the bridge at New Westminster, crosisng the Fraser river, which would be wholly within the province of British Columbia.

Telegraph lines on north shore and islands of Lower St. Lawrence, &c.—improvement of repair service, $3,000.

Mr. SPROULE. What is the nature of this line?

Mr. PUGSLEY. It is very necessary for the Signal Service with reference to shipping, the weather reports, etc., but the country is not sufficiently thickly settled to make this a good commercial undertaking. The revenue in the province of Quebec last year was $11,168.80.

Mr. SPROULE. There are other lines besides this?

Mr. PUGSLEY. Yes.

Mr. BLAIN. What was the expenditure?

Mr. PUGSLEY. $31,965, that is outside altogether of the services of the cable ship.

Mr. BLAIN. Is the revenue increasing, and the expenditure decreasing?

Mr. PUGSLEY. It is keeping just about the same on each side.

Telegraph lines—Alberta and Saskatchewan, Edmonton-Athabaska telegraph lines—extension from Athabaska Landing towards Peace River Landing, via south side of Lesser Slave lake, $21,000.

Mr. PUGSLEY. This is to extend the telegraph service from Edmonton to the north. A good many settlers are going into the Peace river country, and need a telegraph service.

Mr. SPROULE. How far did you extend this line last year?

Mr. PUGSLEY. About 140 miles. It is 290 miles long altogether.

Mr. SPROULE. If you did 140 miles last year with $10,000, why do you want $25,000 to do the balance?

Mr. PUGSLEY. I should have said in the two years. In 1908 and 1909 we spent nearly $10,000, and during the year which closed yesterday we spent $10,194. With this amount we ought to be able to finish it this year.

Moosejaw — Wood Mountain line—branch from Limerick to Gravelburg, $5,000.

Mr. BLAIN. Are these lines constructed by public competition?

Mr. PUGSLEY. We supply the wire ourselves, and put up the line, but we call for tenders for the poles. The construction is done by men employed under our own superintendence.

Mr. BLAIN. Would it not be better to ask for tenders for poles and wires, and construct the line?

Mr. PUGSLEY. It is well to ask for tenders for poles, but I think the work can be done better and more cheaply by our own men. I think that is the way the telegraph companies construct their lines, they have their own crews.

Mr. BLAIN. Are the rates fixed on the expenditure?

Mr. PUGSLEY. We endeavour to fix them based somewhat upon the expenditure, but usually in comparison with what the companies charge on lines similarly situated.

Mr. BLAIN. What is the total revenue and expenditure on all the government telegraph lines?

Mr. PUGSLEY. The total revenue last year was $113,175; the total expenditure, including the Yukon, was $474,845.

Mr. EDWARDS. Are there any telegraph lines in Ontario?

Mr. PUGSLEY. We have only one, the Pelee Island line, that is a telephone line.

Mr. EDWARDS. Have there never been any applications for such lines in the outlying portions of Ontario?

Mr. PUGSLEY. Not since I have been minister.

Mr. U. WILSON. I want to know how these things are done. Is it by application made by certain municipalities or individuals, and what are the conditions on which grants of that kind are made? I know some outlying districts, for instance in my own riding, which are thirty-five or forty miles from a railway, and a good way from telephone lines. Now is there any possibility that the people of these districts would be able to get a grant to assist them in building those lines?

Mr. PUGSLEY. While there is no absolute rule, yet the principle upon which the government began to act a great many years ago was that it was desirable in the public interest to give telegraphic communication to outlying, and remote sections of the country, more especially in the newer provinces, and in unsettled districts where lines would not likely be built by commercial companies. As to whether an application for a telephone or telegraph line in a well settled district, which is blessed by the presence of my hon. friend, should be granted I would have very grave doubts. I would hardly think that my hon. friend would seriously propose the construction of a line in a locality such as that. But out in British Columbia, in the thinly settled districts, in the Yukon, in the mountains, away down on the lower St. Lawrence, and in districts like that where there is no reasonable hope that at any time in the near future commercial companies will enter the field, the government is giving accommodation to the people.

Mr. U. WILSON. I have not made myself clear to the hon. gentleman. He has described the conditions in that part of the country to which I am referring where they have no telegraph or telephone lines, where the country is sparsely settled, and the people are put to great inconvenience. This district is about ninety miles north of the county town. They have a cheese factory, and they cannot keep in touch with the prices unless they have telephonic or telegraphic communication. It is hardship enough that they have to draw their cheese thirty-five or forty miles to the railway station in order to get it to market, and if anything could be done to facilitate them in getting the market reports such as this government is doing for other localities, it seems to me that they have a strong claim.

Mr. PUGSLEY. I suppose my hon. friend would not have any fear that the question of provincial rights would be raised at once if the Dominion sought to invade that territory by building a telegraph or telephone line?

Mr. U. WILSON. I do not think that would trouble the Minister of Public Works very much. If it suited his purpose I think he would go on irrespective of provincial rights.

Telegraph lines, British Columbia—North Thompson Valley line—land line, Kamloops to Fennels—revote of lapsed amount, $4,500.

Mr. PUGSLEY. This is to construct a telephone line from Kamloops to Fennels on the north side of the Thompson river, sixty miles in length.

Mr. BURRELL. How much has been constructed?

Mr. PUGSLEY. There cannot be a great deal, because we have only expended $446.41.

Mr. BURRELL. Is it expected to go on with the work?

Mr. PUGSLEY. Yes, we expect to build sixty miles this year.

Kamloops-Okanagan Valley telephone line—additional wiring between Kelowna and Penticton and overhauling and strengthening line, $7,600.

Mr. PUGSLEY. This line is 42½ miles in length, and it will cost $160 a mile.

Mr. BURRELL. That is rewiring.

Mr. PUGSLEY. We want to give a separate circuit independent of the telegraph system. This work has been asked for by the Penticton Board of Trade, and recommended by our superintendent there.

Mr. EDWARDS. Are we to understand that this is a very sparsely settled district?

Mr. PUGSLEY. Yes, it is. My hon. friend from British Columbia (Mr. Burrell) would know better about it than I. The section is beginning to fill up rapidly.

Mr. BURRELL. Communication is partly by road, and partly by water, and the situation is extremely difficult.

Mr. PUGSLEY. You will go many miles there without seeing a house?

Mr. BURRELL. There was a matter that I brought to the attention of the minister last December that I would like to mention again. I would like to know whether it is possible to have an extension of the Okanagan system or rather to construct a branch from Kamloops over to the Okanagan away entirely from the railway system and over a country that is never likely to be reached by the railway.

Mr. PUGSLEY. Is that from Kamloops?

Mr. BURRELL. Yes. From Kamloops, passing through Duck's, Grand Prairie, Glenemma, Faulkland, and Hullcar to the Armstrong district. That is a country in the railway belt that is beginning to be settled and where a large number of people can be served in no other way than by a telephone line. I hope the minister has taken that into his favourable consideration and I trust that there will be a possibility of having that line constructed at the earliest possible date.

Mr. PUGSLEY. I am impressed with the desirability of this work. I think my attention was called to it by Senator Bostock some time ago. As I understand this will give a short cut across the country and give accommodation to a large number of people. Recognizing the possibility that there will be some supplementary estimates I have had this line noted and I am not without hope that I may succeed in getting an appropriation for the purpose and that the work will go ahead this season.

Mr. BURRELL. I trust the minister's hope will be of that vigorous character which will produce the result that we desire. There is one other item that I would like to call to the attention of the minister especially having reference to his remark that this accommodation is usually provided by the government in isolated districts where people are at immense inconvenience because of the lack of communication. The particular case in my mind's eye which I brought to the minister's attention last December was 150-mile house on the Cariboo road. As the minister probably knows all that northern country is absolutely isolated. The Yukon telegraph passes 150-mile house, but from 150-mile house through the Chilcoten country we have a district which is rather sparsely settled by people who have been in there a long time and there are places where they are from 75 to 150 miles away from a telegraph station and not less than 200 miles away from a railway and they are likely to be away from the railway for a considerable time. If a line could be extended from 150-mile house on the Cariboo road across the Fraser river to Alexis creek or, at least, to Chilcoten which is a little way beyond the Fraser river, it would be an enormous boon to a great many people who have been there a long time absolutely cut off and who have been hoping for many weary years to get something of that kind. It is almost a matter of life and death. I have known people who had to go 75 miles for a doctor, having no means of communication either by telegraph or railway. In view of the fact that these people have been there for a long time and are doing their part in building up that western country I do hope the minister will be able to give that particular section a little consideration. It would not be a very expensive matter and it is amply justified by the facts.

Mr. PUGSLEY. The condition of the settlers in that district appeals to me, but I understand this work would be quite expensive, as the country is very mountainous.

Mr. BURRELL. It is not so mountainous there.

Mr. PUGSLEY. I can tell my hon. friend (Mr. Burrell) that his remarks about the settlers will have my earnest consideration, and it is only the question of expense that would deter me from taking necessary steps to extend the line in that direction.

Mr. EDWARDS. I do not wish to be understood as objecting to such expenditure as this, but I do impress on the minister that we have in the province of Ontario numerous instances which are just as much entitled to receive assistance of this kind. In many places in eastern Ontario, the country is rough and sparsely settled, and there is no inducement for a private company to undertake a telephone or telegraph service. The people are badly in need of such a service, and I may tell the minister that in all probability he will have applications in this direction pressed upon him in the near future.

Kamloops-Okanagan Valley telephone line, exchange at Merritt, $2,250.

Mr. BURRELL. I suppose that this work will be gone on with this summer?

Mr. PUGSLEY. Yes.

National Art Gallery, Ottawa, including the purchase of paintings by the Advisory Council of Art, $10,000.

Mr. BLAIN. How are these pictures purchased?

Mr. PUGSLEY. By the Advisory Art Council, which did consist of the late Sir George Drummond, Mr. Byron Walker and Senator Boyer. On the death of Sir George Drummond, Dr. Shepherd, a very eminent surgeon of Montreal, and who is, I believe, a very good judge of paintings, kindly consented to take the vacancy. These gentlemen give the benefit of their judgment and knowledge to the country free of charge.

Monument to the memory of the late Hon. George Brown, $10,000.

Mr. U. WILSON. Where will this monument be placed?

Mr. PUGSLEY. In Ottawa, but we have not yet determined on the locality.

Mr. BLAIN. You have been neglecting the memory of this gentleman for many

years. Why was nothing done when the money was voted last year?

Mr. PUGSLEY. The sculptor is at work, but we did not make any payment last year.

Monument to the memory of the late Hon. Thomas D'Arcy McGee, $10,000.

Mr. HENDERSON. Can the minister say whether this statue will be placed on Parliament hill, or near the Laurier hotel. I see the volunteers' monument is to-day placed at the rear of the hotel, and I hope these statues will not be given any such site as that.

Mr. PUGSLEY. These monuments will be located on the advice of the Advisory Art Council. It is rather believed by myself and the members of the government generally that the monument of the late Thomas D'Arcy McGee will be placed on the proposed plaza which is to be built between the two bridges, opposite the station and hotel.

Mr. HENDERSON. I suppose that D'Arcy McGee being an Irishman, you are following the example of the city of Dublin which placed the statue of Daniel O'Connell in the middle of Sackville street. But, I should think that the services rendered by D'Arcy McGee entitled his statue to a better location than in the middle of a street.

Mr. LEMIEUX. The new statue of Shakespeare, one of the finest in Paris, is right in the middle of a street.

Mr. HENDERSON. Well, I am not sure that it is always safe to take Paris as a model.

Mr. LEMIEUX. The statute of Lincoln in New York is in the middle of a street.

Mr. HENDERSON. I never was in New York, and I only speak of what I know. It is quite possible that the statue may be placed in the middle of a street, but for my part I would rather see the monument of McGee on Parliament hill.

Mr. PUGSLEY. The plaza will be very beautiful, and I think it will be a good location for that statue.

Mr. BLACK. I think we should follow the example of some of these eminent statesmen and not talk so much, and let us get through the business of the House.

Mr. HENDERSON. I did not hear what the hon. gentleman (Mr. Black) said; did he reflect in any way on the statement I made?

Mr. BLACK. Not at all. I think Thomas D'Arcy McGee was entitled to whatever honour we can do him.

Mr. EDWARDS. Notwithstanding what the hon. member (Mr. Black) says, I think this is a matter of sufficient importance to occupy us for a few moments. The name of Thomas D'Arcy McGee is inseparably connected with the history of Canada, and he is worthy of any honour we can confer upon his memory. In view of the political services of Thomas D'Arcy McGee to Canada and his high position as a statesman, it seems to me that his statue should be erected upon Parliament hill.

Mr. FISHER. In suggesting that D'Arcy McGee's statue should be erected on the plaza opposite the post office, there was no idea that it would be in any less distinguished position than if it were erected on Parliament hill. For example, in London, on Parliament square, which is across from the parliament buildings, there are a great number of monuments of the most dintinguished men in the history of the empire. There are at present a good many monuments on Parliament hill, and in my view it is quite possible that the plaza opposite the post office, being in the most frequented part of the capital of the Dominion, is a no less distinguished position. I quite agree with my hon. friend (Mr. Edwards) that Thomas D'Arcy McGee was one of the most distinguished men in the history of our country, and that the tragic manner in which he met his death in consequence of one of the most patriotic stands that ever a statesman took in the history of Canada, entitles his memory to the highest repect we can pay.

Mr. SPROULE. I am afraid that if the hon. minister carries out his intention he may find himself somewhat in the position of the tourist, who, when driving around the Lakes of Killarney, asked the cabman what was the height of a particular monument, and the cabman replied: 'I think it is the height of damn nonsense to put it there, because I run against it every time I drive around it.'

Monument to the memory of the late Sir L. H. Lafontaine and the late Robert Baldwin, $20,000.

Mr. McCALL. Is it the intention of the government to honour other Canadian statesmen, and if so, to what extent?

Mr. PUGSLEY. I should think that from time to time it would be the duty of this government or of any government which might be in power to do honour in the same way to other eminent statesmen.

Mr. McCALL. Is it likely to include the men of to-day?

Mr. HENDERSON. The Minister of Public Works, for instance.

Mr. PUGSLEY. I would rather hope that my hon. friend would become so distinguished in the service of his country that he would be deemed by the govern-

ment of his country worthy of a high place on parliament hill or on the plaza.

Grant towards the erection of a memorial at or near Brantford to commemorate the invention of the telephone, $5,000.

Mr. SPROULE. How much are these monuments expected to cost?

Mr. PUGSLEY. The amount fixed in the contract for the monument for Hon. Geo. Brown is $10,000. It is expected that this monument at Brantford will cost about $40,000. Our contribution will not exceed $10,000.

Mr. EDWARDS. Of the other monuments, the government is bearing the whole cost?

Mr. PUGSLEY. Yes.

Mr. SPROULE. If $10,000 will build each of the other monuments, how does this one come to cost $40,000?

Mr. PUGSLEY. We have nothing to do with that. The people of Brantford, taking a pride in their fellow-citizen, Prof. Bell, who invented the telephone, and desirous of erecting a monument in commemoration of his great work, estimate that it will cost about $42,000.

Mr. BLAIN. When will it be completed?

Mr. PUGSLEY. I presume that it is very nearly completed, because the secretary of the committee has called on us for the payment of the last half of our contribution.

Contribution towards the erection of a memorial to Sir Leonard Tilley at St. John, New Brunswick, $4,000.

Mr. PUGSLEY. This is being erected by a committee of citizens, who received subscriptions. The provincial government is contributing $2,500, and we think it not unreasonable that we should make a contribution of $4,000 towards this monument in memory of one whose public services were so great and who occupied such a commanding position as Sir Leonard Tilley.

Mr. HENDERSON. I confess that when I read the words, 'a contribution towards the erection of a monument,' I did not like it. It seemed to me that, considering the great work of Sir Leonard Tilley in this country, he had just as much right to be remembered by this parliament as some of those whose names have been mentioned, and I would have preferred to have seen this government erect a monument to the memory of Sir Leonard Tilley. He has erected a monument for himself, a monument that will last as long as this country lasts.

Mr. PUGSLEY. I ought to explain, for the information of my hon. friend and the committee, that this work of erecting a monument to Sir Leonard Tilley was taken in hand a few years ago, and it is intended to erect it, not here in the capital of the country, but in the city of St. John; and the chairman of the committee communicated with this government and asked us to make a contribution. We are doing exactly what the committee appeared to prefer that we should do. I think it would not be doing justice to the feelings of the friends of Sir Leonard Tilley if we were to attempt to take the matter out of their hands.

Mr. BLAIN. Did they name the amount?

Mr. PUGSLEY. Yes, and we quite fulfilled their expectations as to that; we have even done a little better.

Mr. SPROULE. This monument is in Sir Leonard Tilley's own province, but I think he was a man prominent enough in the history of his country, and he did sufficient in his day to entitle his name to be honoured by the erection of a monument here at the capital, where he did his great work, and where he was one of the prominent figures in the national life of this country.

Mr. HENDERSON. If the city of St. John is erecting a monument to Sir Leonard Tilley, I think the minister might well consider the propriety of erecting one at the capital.

Mr. PUGSLEY. The matter is worthy of consideration, and I have no doubt the government will carefully weigh the suggestion of my hon. friend.

Construction of water-storage dams and regulation works on the Upper Ottawa river and tributaries, $175,000.

Mr. PUGSLEY. This is to continue the very important work of erecting storage dams upon the head waters of the Ottawa with a view to holding back the flood waters in order to increase the flow of the river Ottawa during the dry season. It will greatly increase the flow past the city, add very largely to the water-power, and greatly improve the navigation.

Mr. U. WILSON. Is there not plenty of water-power now?

Mr. PUGSLEY. Not at low water.

Mr. McCALL. At what points is it proposed to build?

Mr. PUGSLEY. We are building dams at the foot of Lake Timiskaming, on Lake Keepawa, on Lake Quinze and on two other lakes, and we have under consideration a project of diverting into the Ottawa valley system one of the rivers which now flows northwards. I believe a great increase of flow can be got from that source

Mr. SPROULE. What is the whole undertaking expected to cost?

Mr. PUGSLEY. In the vicinity of $600,000.

Mr. SPROULE. I see that you spent $65,000 in the current year. How has that been spent?

Mr. PUGSLEY. Under contract, after public tender.

Mr. SPROULE. And I presume it is intended to spend the money now being voted in the same way.

Mr. PUGSLEY. Yes, on the contracts now let.

Engineering branch—salaries of engineers, inspectors, superintendents, draftsmen, clerks and messengers of outside service, $170,000.

Mr. PUGSLEY. This year we require $25,000 more than we took last year, owing to the increased number of employees, as well as some increases in salaries. The work of the department is growing very rapidly.

Mr. BLAIN. What increases in salaries are there?

Mr. PUGSLEY. Will my hon. friend allow me to give him the detail of that at a later date? I haven't it to-night.

Deep Waterways Commission, inclusive of payments authorized to Wm. J. Stewart, chief hydrographic surveyor, Department of Marine and Fisheries, as member of the Board of Commissioners; also for the definition and demarcation of the international boundary between the United States and Canada from Pigeon river to St. Regis, as provided for by article 4 of the treaty of April 11, 1908, $50,000.

Mr. PUGSLEY. I presume the committee are very familiar with the work of the International Waterways Commission. This amount has been asked for by the commission who state that it will be all required during the current year.

Mr. BLAIN. What salary does the chairman receive?

Mr. PUGSLEY. Fifty dollars a day for the days he is actually engaged upon the work.

Mr. BLAIN. How many days was that last year?

Mr. PUGSLEY. I have not the amounts paid to the different commissioners, but the total amount paid as salaries to all the commissioners, and to the secretary was $9,948.47.

Mr. BLAIN. I think the chairman received about $3,000.

International Commission, River St. John, New Brunswick, $20,000.

Mr. PUGSLEY. This is to pay the expenses of a commission sitting jointly with a commission appointed by the government of the United States to consider the question of obstructions to the St. John river, made by a company incorporated by the legislature of the state of Maine. Since the commission was appointed the scope of their inquiry has been enlarged, and they are considering the question of the feasibility of storing waters at the headwaters of the River St. John, and its tributaries with a view to improving navigation, and to see if by means of improving the navigation the injury caused by obstructions, booms and piers, on the American side, might not be obviated or lessened. They are also dealing with the diversion of the waters of the Allegash river from the St. John river into the Penobscot river, which was done some years ago by people in the state of Maine. The work of the commission is very important, and we are asking this amount towards paying their expenses.

Mr. SPROULE. Are they considering how far those obstructions are a violation of the Ashburton treaty?

Mr. PUGSLEY. That comes within the scope of their duty.

Mr. SPROULE. Have they any power to determine matters that will be binding on their government?

Mr. PUGSLEY. No, their report would not bind the governments, but no doubt it would have great weight with the two governments, particularly if it should be unanimous. The primary object of the appointment is of course to inquire into all the facts so as to present a full report, which could be relied upon, to the government of the United States, and to the government of Canada.

Lake Nipissing—water level controlling dams—to provide for payment of claims for flooded lands, $10,000.

Mr. SMYTH. Is that at the lower end of Lake Nipissing?

Mr. PUGSLEY. Yes.

Mr. EDWARDS. Has the minister made up his mind as to whether he is going to do that little bit of dredging work over at Wolfe island?

Mr. PUGSLEY. No, I have not.

Mr. EDWARDS. Would the minister say whether he is likely to make it up in the near future?

Mr. PUGSLEY. That is a difficult question to answer. The work asked for is essentially an improvement of private property, dredging immediately in front of a privately owned dock. My hon. friend will see that if I were to do that I would not be free from criticism from his own side of the House, unless he exercised a very

controlling influence over some hon. gentlemen who sit near him.

Mr. EDWARDS. I think I can give an assurance that he will not be severely criticised from this side of the House. While I do not profess to control members, I think I can give that assurance with every confidence. As to its being a private wharf, the minister is right to a certain extent; it is private owned, but it is used by the public to a very great extent. The advantage to the public would be about sixty cents or seventy cents a ton on all the coal they use. I understand the municipality would go to the expense of putting up a coal shed so that this little bit of dredging, costing $200 or $300, would enable the coal barges to unload right at the wharf. I do not think the minister would be criticised from this side, he certainly would not receive any severe criticism from the people in that locality if he made that expenditure.

Mr. PUGSLEY. While I have every confidence in the good faith of my hon. friend, it would give me more confidence in the attitude of hon. gentlemen opposite if I were to hear from the hon. member for Grey (Mr. Sproule) because he is leading the opposition.

Mr. SPROULE. I can assure the hon. minister he will not encounter any criticism from the hon. member from Grey regarding it.

Mr. PUGSLEY. We have advanced quite a long distance. I find hon. gentlemen opposite are quite prepared to support the expenditure of government money on what are absolutely private wharfs, and certainly, that being so, I will be called upon to give the matter even more careful consideration than I have done hitherto. I cannot promise my hon. friend, but I will take the matter into consideration.

Mr. HENDERSON. I do not wish to raise any objection to this expenditure, but I think the minister is putting a wrong construction on what is said by the member for Grey, and the member for Frontenac. What they referred to was this specific case, not generally speaking.

Mr. PUGSLEY. A principle is a principle. If it is good for one case, it is good for another.

Mr. HENDERSON. Providing the conditions are always alike.

Mr. PUGSLEY. If a wharf is a privately owned wharf.

Mr. HENDERSON. Used by the public.

Mr. PUGSLEY. Yes, every privately owned wharf is used by the public.

Mr. EDWARDS. Without tolls, largely without tolls.

Mr. PUGSLEY. Largely without tolls. There is a modification there.

Mr. EDWARDS. I want to be fair, and I think there have been many instances where grants have been made for which there was less justification than in this case.

Mr. BLAIN. Are we to understand that it would be a new departure on the part of my hon. friend if an expenditure of this kind were made?

Mr. PUGSLEY. There would be ground for criticism. It would not be unreasonable that I should be criticised for making improvements to what was really a private wharf owned by a private individual, who often collects tolls for the use of that wharf. It is often difficult to draw the line. There would be criticism in this case, because the work is not a large one, and the public might well say that the owner of this wharf might have this dredging done at his own expense, that it was only a matter of two or three hundred dollars, and why should the government spend public money to improve this property? That is the criticism that would be made. But it has been done in cases where the public receive larger accommodation, as, for instance, improving a channel in front of a railway wharf, there, of course, the interests of the railway company come in, and the transportation interests in which the public is concerned. However, in this case the wharf is owned by a private individual, and he would receive the benefit of the government's expenditure. The amount is not large. I say again in perfect good faith that I am considering the matter, and I have not yet decided whether I can do it or not.

Mr. EDWARDS. If we can get an assurance, or a written undertaking, from the owner of this wharf, that no toll will be charged to coal vessels, that is to say, that that part of the wharf will be absolutely free—

Mr. PUGSLEY. What about the rest of the traffic?

Mr. EDWARDS. That is unloaded on a different part of the wharf. I have no doubt the owner of this wharf will sell to the government at a very reasonable figure, yet it is a government owned wharf. It would be rather a unique experience for that part of the country.

Mr. PUGSLEY. No, in Ontario there is a large number of government owned wharfs.

Mr. BLAIN. My question was as to whether the department has not in the past expended money upon private wharfs in the province of Ontario and other parts of Canada.

Mr. PUGSLEY. I thought I answered that fairly.

Mr. BLAIN. My hon. friend made an explanation, but failed to touch the point. I will repeat the question. Has not his department in the past expended money upon private wharfs, both in Ontario and in other provinces?

Mr. PUGSLEY. I am not aware of the government expending money on private wharfs in the sense in which this is a private wharf. Would my hon. friend point out a particular instance?

Mr. SPROULE. There is a case at Sault Ste. Marie where the government has done dredging in front of a wharf to allow vessels to get up to the wharf.

Mr. PUGSLEY. In that case the wharf was bought by the government, and improvements were made after the government became the owner of the property. That is what the chief engineer tells me.

Mr. SPROULE. I can tell both the chief engineer and the minister that money was spent there several times before the wharf was owned by the government.

Mr. PUGSLEY. That might have been under the old administration.

Mr. SPROULE. I think there is a case at Orillia, and another in front of Barrie, and I think there is another at Little Current, or some where on the Manitoulin island.

Mr. PUGSLEY. A short time ago I had an application from an owner of a wharf in or near the city of Ottawa to do some dredging, and I said I would do it if the owner would pay so much for the dredging. I think I gave directions to the chief engineer to charge a reasonable price for the work. I happen to have owned, with two or three other gentlemen, a wharf in the city of St. John; we wanted some dredging done by the government, and we had to pay the actual cost of operating the dredge, I think some $40 or $50 a day, while the dredge was doing work in front of this wharf.

Compensation to Sydney J. Dale in full of all demands for injuries sustained by him on the government dredge 'Nakusp,' in June, 1907, whilst employed as deckhand—revote of $500 lapsed, $1,000.

Mr. PUGSLEY. I asked for a vote of $500 in 1908, but Mr. Dale, acting on the advice of his friends, declined to accept it. After looking carefully into the circumstances of the case I have decided to recommend a vote of $1,000 to this unfortunate man.

Mr. BLAIN.

Mr. EDWARDS. To what extent was he injured?

Mr. PUGSLEY. When he was working on the dredge 'Naskusp', at Revelstoke, he received such injury to his arm that it had to be amputated. On the occasion of the same accident Captain Baker lost his life. It occurred whilst the crew of the dredge were installing a new main guy line. Of course, the question arose as to whether there was liability on the part of the government and on looking into the whole case and after consulting with the deputy minister and the chief engineer I decided that it would be right to compensate this man to the extent of $1,000.

Mr. EDWARDS. Do I understand that on looking into the matter you considered the government was liable and that an action for damages might be made good by this man?

Mr. PUGSLEY. Mr. Dale did commence suit by petition of right and on looking into the matter I thought the case was, at all events, so doubtful as that it would be in the interest of the public that we should make a settlement. I also felt that even if we might defeat the man's claim in a court of law, he had a strong equitable claim. He probably had a legal claim, but he certainly had a strong moral claim.

Mr. EDWARDS. I presume this man is the head of a family and that his family depend upon him for their living. If the government considered they were liable for the damage done to this man I think it is dealing in a pretty small way to give him $1,000 compensation for the loss of his arm. A man's arm ought to be worth more than that to him. If the government are liable at all he should receive more than $1,000.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What business will be taken up on Monday?

Mr. FIELDING. I think we shall take up a number of Bills which stand on the order paper. Private Bills have priority and after that we shall deal with a number of minor Bills which stand on the order paper. If we reach Supply my hon. friend the Minister of Public Works will continue. There are several Bills on the order paper which, I think, are hardly controversial and we would like to be able to call up any of them.

Motion agreed to, and House adjourned at 11.10 p. m.

HOUSE OF COMMONS.

MONDAY, April 4, 1910.

The SPEAKER took the Chair at Eleven o'clock.

PRIVATE BILLS.

ST. LAWRENCE POWER TRANSMISSION COMPANY, LIMITED.

House again in Committee on Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company, Limited.—Mr. Pardee.

Mr. R. L. BORDEN. Some members who take an interest in this Bill were unable to be present this morning. Would there be any objection to allowing it to stand until eight o'clock?

Sir WILFRID LAURIER. No objection.

Progress reported.

HAMILTON, WATERLOO & GUELPH RAILWAY.

House in committee on Bill (No. 79) respecting the Hamilton, Waterloo & Guelph Railway Company.—Mr. Harris.

Mr. BLAIN. One or two of the members spoke to me about this Bill, wishing it might be left over until some time to-day at a further sitting of the House.

Sir WILFRID LAURIER. Let it stand until eight o'clock with the other one.

RESTIGOUCHE LOG DRIVING AND BOOM COMPANY.

House in Committee on Bill (No. 150) respecting the Restigouche Boom Company, and to change its name to the Restigouche Log Driving and Boom Company.—Mr. Reid (Restigouche).

On section 2,

Mr. DANIEL. Has this Bill been reported favourably by the Private Bills Committee?

Mr. DEPUTY SPEAKER. The copy I have says it is reported as amended by the Standing Committee on Miscellaneous Private Bills.

Mr. PUGSLEY. I am informed that counsel were present representing the Boom Company and the riparian owners, and that the amendments made in the Bill are the result of a conference between them, so that the Bill as reported from the committee has been agreed to by those representing the various interests. The hon. member for Carleton will know whether that is correct.

Mr. CARVELL. Yes. There were representatives at the committee of the Boom Company, the riparian owners, the anglers and the fishermen. There was one change made at the request of some of the members of the committee, but all the others were made at the request of the interested parties, and when the Bill left the committee there was a thorough understanding among all the parties concerned. I may state that after consulting with Mr. Speaker, in whose county these works will be located, I propose to make two very slight amendments. One is to provide that there shall be no question that the man who rafts his logs will have the right to run them down the river without interference, and will not have to pay any charges, and the section 26 dealing with the expropriation of lands and rights. With these two slight amendments the Bill is now perfectly satisfactory to all parties concerned who are represented, and I think that all parties imaginable were represented before the committee either in person or by counsel.

Mr. R. L. BORDEN. I would like to ask on what ground the committee reported that this was a work for the general advantage of Canada?

Mr. CARVELL. I do not think those words were necessary, because the works are on both sides of an interprovincial river. But it was thought best by the committee to insert those words to avoid any question of jurisdiction. I may explain that for a great many years the lumber has been driven down the Restigouche river and has been boomed and rafted on the New Brunswick side. Ten years ago fifteen or twenty million feet of lumber came down the river. This year there will be at least 125,000,000 feet, and the booms are wholly inadequate to take care of that enormous quantity of lumber. Last year a large quantity went out to sea and some of it was lost. It is proposed to have all the lumber rafted down and boomed by the same company both on the Quebec side and on the New Brunswick side, so that I submit that this parliament alone will have jurisdiction without the insertion of those words.

Mr. R. L. BORDEN. I am not finding any fault with the project. I dare say it may be a very useful one, as I understand that a combination is proposed of the various interests concerned in driving logs on this river for the purpose of doing the work more effectively than it has been done in the past. It is a perfectly legitimate proposition provided the rights of the public are preserved; but I do not think that the declaration that this is an undertaking for the general advantage of Canada ought to be lightly made. I have been of the opinion that on a good many occasions it has been too lightly made by this parliament. If it is not essential in this case, I would think it far better to omit it.

Mr. CARVELL. While the incorporators might possibly get all they are with-

out these words in the Bill, yet certain works must be performed wholly within the province of New Brunswick and others wholly in the province of Quebec. I have discussed the question with the solicitor of the company, and it is at his request that the words are left in the Bill.

Mr. LENNOX. I would like to ask the Minister of Public Works, who has paid some attention to this Bill, what he understands to be the meaning of these words in this section, 'nothing herein contained shall affect any action heretofore taken pursuant to the powers in such act contained.' Is that intended to refer to a legal action or an ordinary action?

Mr. PUGSLEY. I would take it that it is intended to preserve the rights of all parties as they exist under the New Brunswick statutes, whether any action has been taken either by lawsuit or in any other manner.

Mr. LENNOX. It seems to me that would be pretty hard to work out, because parties may have acquired a certain status by certain actions or steps that they have taken.

Mr. EMMERSON. Does the Bill reserve to this company the tolls which are provided by the British North America Act?

Mr. CARVELL. The tolls under this Act are to be levied by by-law of the company year by year, and the by-law has to be approved by the Governor in Council.

On section 11, subsection 3,—

Mr. CARVELL. I propose to make a slight amendment to subsection 3, by inserting, after the word 'river,' in line 11, the following words: 'or the floating down the same of rafted logs.' There was a question in the minds of certain gentlemen in the county of Bonaventure as to whether they would have free access to float their logs down the river if they chose to do so themselves. Under the provisions of the different sections, all the logs that are turned into the river and are floating in the river, must be driven by the company paying the company whatever rates or tolls are levied according to the bylaws. But in order to make it sure that the owner of the logs can raft his logs and take care of them himself, we have suggested this amendment.

Mr. DEPUTY SPEAKER. Has the hon. member given notice of this amendment?

Mr. CARVELL. No. But I may say that I do not think it is of sufficient importance to require notice. It has been drafted by Mr. Speaker and myself. The member for Restigouche (Mr. Reid) who is not here at present, is interested on one side of the river and Mr. Speaker on the other side of the river, and they have agreed that this amendment should be inserted. I do not think that the committee will feel that the matter is of sufficient importance to require the necessary notice. It is only done for the further protection to the small owner along the river who may have a few thousand feet of logs which he wishes to bring down himself, and not be subject to the tolls of the boom company.

Mr. R. L. BORDEN. The amendment seems to be in the public interest.

Mr. DEPUTY SPEAKER. I presume I may accept it as not being of serious importance, and in the absence of opposition.

Mr. R. L. BORDEN. It can be inserted by unanimous consent.

Mr. LENNOX. I would ask the Minister of Public Works if he has given attention to this section to see that it properly protects the interests of the public on this navigable river; I am not prepared to say that it does not. I see there is a provision in it that it should be submitted to the Department of Public Works for approval.

Mr. PUGSLEY. I think the clause is in the usual form, which has been adopted in incorporating boom companies. A provision is made for handling logs by the company, and the tolls are to be submitted to the Governor in Council for approval. The amendment which the hon. member for Carleton (Mr. Carvell) proposes, reserves the right to individaul owners to take care of their own logs if they wish to do so.

Mr. SPEAKER. I may explain for the benefit of the committee, that this enterprise up to the present has been carried on entirely under a charter of the New Brunswick legislature. The increasing importance of the lumber trade in that district has rendered it necessary to utilize both sides of the river. It is expected that this year 125,000,000 feet of lumber will be floated down the Restigouche river, and application has been made to this parliament by this company for better facilities under a Federal charter. I have received an important petition signed by some 400 residents of the county of Bonaventure asking that the rights of the public and the rights of the riparian owners along the river should be protected. I went to the Private Bills Committee and asked that a sub-committee be appointed to discuss the Bill. This was done and clauses 24, 25, 26, 27 and 28 were inserted at my request for the protection of the riparian owners and the free navigation of the Restigouche river. This amendment which is now under consideration was inserted at my request to remove all doubt that the main channel of the Restigouche river would remain open to the public, that no obstruction of any kind will prevent the free navigation by all

interested parties. This company is practically a combination of all the large lumber merchants of that district. The lumberman who commands 100,000 feet of timber becomes de facto a member of the company. The small farmer cannot become a member, but by this Bill his rights are protected under the understanding that his logs are rafted under the same rules as any other logs. Three points were insisted upon by me and were assented to by the member for Carleton: first, the free navigation to the public generally; second, payment by the company of all damages incurred by the riparian owners either to their property or fishing rights, because the Restigouche is probably the most valuable salmon fishing river in eastern Canada, (the payment of damages is well protected, because the company cannot enter into any works of any kind without first giving security in the courts of the district for damages that may occur); third, the initiative in the arbitration proceedings would have to be taken by the company so that the farmers in the district would not have to face a powerful organization. I think that all things considered, although we do not obtain all we ask, we have a fair protection for the people of the district. I have several letters from people on both sides of the river, saying that as far as they can judge at present the rights of the public are fairly protected under this Bill.

Mr. R. L. BORDEN. Does the Bill leave it perfectly open to any one to drive logs down this river?

Mr. CARVELL. No. If any owner of logs drives logs on the river within the driving limits, that is from the mouth of the Kedgwick river down to the boom limits, they must be driven by the corporation, and the owner must pay tolls.

Mr. R. L. BORDEN. Are the tolls regulated in any way?

Mr. CARVELL. By by-law which must be ratified by the Governor in Council.

Mr. SPEAKER. I understand that the member for Carleton (Mr. Carvell) explained that the object of the amendment which he inserted this morning was to reserve the right to any person to raft and drive logs provided the logs were rafted and not set loose. No operations are to be carried on in this river without some uniform system. If the farmer will raft his logs he is allowed to drive them, but if he wishes to have them driven that must be done by the company and he must pay the company.

Mr. DANIEL. Are the operations on the Restigouche intended to be carried on in the same way as similar operations have been carried on in the St. John river?

Mr. CARVELL. They are almost identical, in fact this Act is almost a copy of the amended or consolidated St. John river Act, which was passed three years ago.

On section 20,—compensation and damages for not removing logs. Logs stored to be sold after public notice, if default in payment of assessment.

Mr. LENNOX. It has been stated that provision is made in the Bill that tolls should be subject to regulation. Will the tolls under this section 20 also be subject to some regulation?

Mr. CARVELL. This is only to provide in case the owner of the logs fails to take away his logs in proper time. The hon. member (Mr. Lennox) will understand that if twenty-five or fifty million feet of logs are left on the hands of the boom company after being rafted, the company would be practically out of business, for they would have no storage room. To compel owners to take away their logs within seven days, it is provided that the company should have the right to sell them on giving due notice, and to take from the proceeds sufficient to pay rafting, booming, and incidental charges. But I take it that these are all covered by the section providing that the by-laws are to be approved by the Governor in Council.

Mr. LENNOX. I thought that, under this section, they were given the right to charge for delay. The Bill says the company may—

—sell so much of the said logs as should be sufficient to pay the amounts due upon such assessments together with the extra cost of storing the said logs and the expense of keeping them and of the sale thereof and all other incidental expenses.

I think the provision is a proper one, so far as I know, but I fear there is danger that exorbitant charges might be made. Is it not possible they might keep the logs longer than seven days, and make the charge accordingly? And would this be covered by the provision with regard to the regulation of tolls generally?

Mr. CARVELL. I can only say that the question has never been raised. Section 19 provides for an agreement or arbitration between owners and directors as to assessments. So, practically all the cost after the logs go through the boom are provided for under this section.

Mr. LENNOX. This, I understand, is to provide in case the owner is probably in default. But cases of that kind might arise in which little or no moral blame would attach to the owner. Of course, I speak without knowing the proportions in this matter. I do not know what the storage for seven days on a given quantity of logs

would represent. Of course, if it is a very small matter, it is not worth discussing.

Mr. CARVELL. I think that under section 10 it is all provided for. Section 10 provides that the company may make by-laws fixing and regulating tolls and for the government of the company's affairs, but no by-law is to come into force unless and until it has been approved by the Governor in Council. I think this would cover all cases that might arise.

On section 21—Liability of company for logs lost by neglect: Logs lost otherwise to be secured at owner's expense.

Mr. LENNOX. Is there anything in this section that makes the loss of logs prima facie evidence of neglect on the part of the company, or is that left open?

Mr. CARVELL. That is left open. This is a very rapid river in the spring and, no matter what precautions may be taken, there is always the possibility of logs getting under the booms by the force of the current. But, unless the company have been negligent in the ordinary sense, they would not be liable, and the question of fact as to negligence is to be decided in each case.

Mr. LENNOX. But there is nothing stated making the fact of loss a presumption of negligence which the company would have to rebut?

Mr. CARVELL. No, that is not specifically stated.

On section 26, expropriation of lands and rights.

Mr. CARVELL. I beg to move that subsection 2 of section 26 be amended by inserting the word 'fishing' between the words 'the' and 'rights' in the 36th line thereof. I may explain generally that this section 26 recognizes the right of the fishermen along the shore to proprietary rights in the foreshore or even beyond the foreshore. I think there is a doubt in the law as to whether there are these rights or not. However, the lumbermen are willing to allow him these rights and to pay him for them, leaving the amount to be determined by arbitration. But there was a fear on the part of some of the riparian owners that if these provisions were made too broad the company might expropriate fishing rights and then lease them or use them for fishing purposes. The intention of subsection 2 was that the company might expropriate these fishing stands or rights only to be used for the purpose of their undertaking, and that they would not have the right to use them for fishing purposes. The word 'fishing' was omitted from the 36th line, and it would look there as if they could use them for any purpose whatever. As amended it will read that they may expropriate these rights 'only for the purpose of the exercise of the company's own business and without right to the company to continue to exercise any of the fishing rights so acquired.'

They can use the locus for their own business, but they cannot use it for fishing. That is the object of inserting the word 'fishing.'

Mr. SPROULE. Do you not think that this will conflict with the rights of the province, if they have any rights, to control the fisheries along inland streams or lakes, or with federal rights, if there are any such rights?

Mr. CARVELL. I realize that the question might possibly arise, but if we have no jurisdiction to grant rights, of course, no damage will be done. For a great many years, farmers along the shores have been fishing at certain places which they call fishing stands. They have obtained licenses yearly from the federal government and in the last year or two from the province of Quebec. The company are willing anyway to recognize that the owner has some rights, perhaps, by long usage—you might call it a prescriptive right—and they are willing to pay for them whatever they may be. I realize the point raised by the hon. member for East Grey, but I do not think any difficulty will arise therefrom. This parliament certainly would have the right to control the foreshore, and the land to be used as a booming privilege really is the foreshore of the Restigouche river, or below the mouth of the river along the bay and the harbour.

Mr. DANIEL. I would like to ask the promoter of this Bill if he is satisfied that the riparian owners down there made no objection to this subsection 2 of section 26, and whether the company will have the right to expropriate their fishing rights under this Bill? This is a very valuable salmon fishing river.

Mr. CARVELL. They have objected very seriously for a long time, but the fishermen have all been offered a certain amount of money for whatever rights they might possess, in many cases amounting to thousands of dollars. The company altogether have offered the riparian owners something like $30,000 for their rights. In most cases settlements have been made. There are three on the Quebec side and six or seven on the New Brunswick side who have not yet been settled with. Every individual party was represented before the committee by Mr. Trueman, who used to be judge of Probate in Albert county. He is now living in Dalhousie. This clause was drafted by Mr. Trueman himself and inserted in the Bill by the committee exactly as he requested it to be. Therefore,

this clause is really a clause drafted by the fishermen or the riparian owners themselves.

On section 31; security for damages.

Mr. SPEAKER. I gave notice the other day that I would move an amendment to be inserted as a new subsection of clause 28. It is as follows:

The costs of any arbitration under this Act shall be borne by the company, whether the same awarded is greater or less than the amount offered by the company.

The hon. member for Carleton (Mr. Carvell) pointed out to me this morning that it was provided in this Bill that expropriation would be carried out under the Railway Act and that there is a clause in the Railway Act which says that if the company is condemned to pay more than it offered, the company must pay the cost of the arbitration. The hon. member (Mr. Carvell) who has legal training, says this amendment would be contrary to the prevailing jurisprudence, therefore I am not insisting, but this is the very cause of the difficulty between the riparian owners and the company. Wherever the parties have been able to agree, the riparian owners have been bought out. The Busteed estate, for instance, have sold out to the company. The riparian owners thought that the company should in any case be compelled to pay the cost of the arbitration, but if this principle is contrary to the jurisdiction it should not be insisted upon, and I will, therefore, withdraw the amendment. Of course, I make a great distinction between a railway and a river in regard to expropriation.

NUMBERING OF BILLS FROM THE SENATE.

Mr. LENNOX. Could not some provision be made by which the Senate Bills, which are designated only by letters, should be numbered consecutively with our own Bills so that when they come to us it would be easier to find them on our files?

Mr. FIELDING. I would suggest that the clerk of the House be asked to confer with the clerk of the Senate and see what could be done to meet the hon. gentleman's suggestion.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 154) respecting the Northern Empire Railway Company.—Mr. White (Alberta).

Bill (No. 168) an Act respecting the Calgary and Fernie Railway Company.—Mr. Goodeve.

Bill (No. 172) respecting the Dominion Atlantic Railway Company.—Mr. Black.

QUESTIONS.

EMPLOYMENT OF ALPHONSE GERVAIS.

Mr. MONK:

1. Is Alphonse Gervais employed by the government in the Inland Revenue, Department of the Interior, or elsewhere?
2. If so, when was he appointed, what is his salary, what are his duties, and is he engaged continuously in the service of the government?
3. Does he work for the government at St. Hyacinthe or elsewhere?
4. How much has he received from the government for salary or otherwise since his appointment?
5. Is it true that for a year past he has owned and operated himself a moving picture hall?
6. Was not the same Alphonse Gervais convicted in 1908 of fraudulent election practices?

Hon. WM. TEMPLEMAN:

1. Alphonse Gervais is employed by the Inland Revenue Department.
2. He was first employed April 1, 1901. His salary is $600 per annum. He is attached to the bonded factory survey.
3. Yes; at St. Hyacinthe.
4. $4,816.42.
5. The department is informed that Mr. Gervais owns and operates, in the evenings only, a moving picture show in St. Hyacinthe.
6. The department has no knowledge.

QUEBEC HARBOUR.

Mr. J. P. TURCOTTE:

1. How many ocean merchant vessels visited the port of Quebec during the season of navigation 1908?
2. What was the gross tonnage of these vessels?
3. Under what flag did each of these vessels sail?
4. How many of these vessels belong to the Canadian merchant marine, and what proportion of the tonnage do they represent?
5. What frontage did the Quebec Harbour Commission allot in 1908, in order to permit merchant vessels to embark and land their passengers and goods on the quay?
6. What warehouses and plant did the Quebec Harbour Commission allot in 1908 to facilitate the embarkation and landing of goods transported by these merchant vessels?
7. What is the exact state of the frontage and facilities for storage and operation which the Quebec Harbour Commission has set aside in favour of the ocean transports for the season of navigation in 1910?

Mr. TEMPLEMAN:

1. For the year 1908-9 the number of vessels entered inwards from sea at the port of Quebec was 334.
2. 1,244,380 tons (registered tonnage).
3. Of these 316 were British vessels, 3 were United States vessels, 9 were Norweg-

ian and Swedish vessels, 5 were Danish vessels, 1 was a Spanish vessel.

4. The customs returns do not make a distinction between British registered and Canadian registered vessels.

5. In the wet dock 1,000 lineal feet frontage for coal cargoes, 600 lineal feet frontage for general cargoes. In the tidal harbour, 1,200 lineal feet frontage for general cargoes. River face breakwater, 1,700 lineal feet frontage for passengers and goods. Point à Carcy, 400 lineal feet frontage for general cargoes. Point à Carcy inside berth 300 lineal feet frontage for coasting vessels. Shed accommodation, general freight, 225,965 superficial feet floor area. Cold storage, 100,000 cubic feet refrigerated space.

6. No allotments of berths were made except to the Canadian Pacific Railway Empress boats, and the Dominion and Nova Scotia Coal Companies. The other lines of steamers were given each trip suitable berths.

7. Available berths for sea-going vessels. In wet dock 3,100 lineal feet frontage; in tidal harbour, 2,310 lineal feet frontage; River front, 3,010 lineal feet frontage; total frontage, 8,420 lineal feet frontage. Shed accommodation 214,700 superficial feet floor area. Cold storage, none.

INDIAN INDUSTRIAL SCHOOLS.

Mr. GEORGE TAYLOR:

1. Is it the intention of the government to close the industrial school for Indian children at Regina?
2. Under what religious denomination is it managed?
3. How many children are in attendance?
4. What assistance is given in support of this school, or does the government pay the entire cost of support and maintenance?
5. What was the cost of the building and equipment?

Hon. Mr. OLIVER:

1. Yes.
2. The Presbyterian.
3. Sixty-six.
4. $145 per capita is paid for 100 pupils.
5. $72,000.

Mr. GEORGE TAYLOR:

1. Is there an industrial school for Indian children at La Butte?
2. If so, when was it erected?
3. Under what religious denomination is it managed?
4. How many children are in attendance?
5. What assistance is given in support of this school, or does the government pay the entire cost of support and maintenance?
6. What was the cost of the building and equipment?

Mr. OLIVER:

1. Yes, at La Butte.
2. In 1906.
3. The Roman Catholic.
4. 230.
5. $120 per capita is paid for 235 pupils.
6. $117,823.23.

DESIGNS FOR PUBLIC BUILDINGS.

Mr. MACDONELL:

1. Did the Public Works or any other department of the government institute a plan competition for the erection of the proposed departmental and justice buildings in Ottawa?
2. Did the government accept any plan or design? If so, who was the successful architect, and how many plans or designs were put in, and by whom?
3. Was any premium or award paid to the successful architect?
4. Has the government set aside such successful design, and is the planning and carrying out of the work now to be done by the architectural staff of the Department of Public Works?
5. If the successful design has been set aside, what is the reason for such change, and does not the government consider this change a breach of good faith with the architects who tendered?

Hon. WM. PUGSLEY:

1. Yes.
2. (a) No. The competition called for competitive designs for a justice and a departmental building, and four prizes were to be awarded to the four best designs submitted, 'the four successful designs to become the absolute property of the government'.

(b) Twenty-nine designs submitted: 1. Bella Campbell, Fenelon, Manitoba; 2. A. G. McAdam, Halifax, Nova Scotia; 3. John Gemmill, Toronto, Ontario; 4 and 5. Finley & Spence, Montreal; 6. Sproatt & Rolph, Toronto; 7. M. Perrault, Montreal; 8. J. A. Ewart, Ottawa, Ontario; 9. J. B. McRae, Ottawa; 10. Canon Bouillon, Ottawa; *11. Darling & Pearson, Toronto; 12. Geo. W. Gowinlock, Toronto; 13. P. S. Gregory, Ottawa; 14. J. S. McLaren, Vancouver, British Columbia; 15. Horwood & Taylor, Ottawa; 16. H. R. Barber, Toronto; 17. A. H. Chapman, Toronto; *18. Saxe & Archibald, Montreal, province of Quebec; 19. S. F. and W. A. Peters, Winnipeg; 20. M. McKean, Moncton, New Brunswick; 21. John M. Lyle, Toronto; 22. J. A. Thompson, Ottawa; *23. E. and W. S. Maxwell, Montreal; 24. Hutchison & Wood, Montreal; 25. Routhier & Lefort, Ottawa; 26. Jas. Foulis, Ottawa; 27. Gordon & Helliwell, Toronto; *28. Brown & Vallance, Montreal; 29. No name.

*Design recommended for prizes.

3. Yes, to the first four designs recommended by the assessors.

4. (a) Not one of the four designs for which prizes were awarded was adopted. (b) Yes.

5. (a) Not one of the designs submitted was considered suitable. (b) No.

TREE PLANTING ON TURTLE MOUNTAIN TIMBER RESERVE.

Mr. SCHAFFNER:

1. Has there been any effort made to produce trees in the Turtle mountain timber reserve during the years 1906, 1907, 1908 and 1909, either by tree planting or sowing of seed?

2. How many men, if any, were employed in said tree planting or sowing of seed during the years 1906, 1907, 1908 and 1909?

3. What was the name of each person employed in planting trees or sowing seed on said reserve, and what amount of money was paid each person so employed during the years 1906, 1907, 1908 and 1909?

4. Has there been an assistant timber inspector in the Turtle mountain timber reserve either permanent or temporary during 1906, 1907, 1908 and 1909? If so, who has been employed and how much money has been paid to each such assistant?

5. What has been the result of the tree planting or sowing of seed in said reserve up to the end of the year 1909?

Mr. OLIVER:

1. No effort was made in 1906 and 1907. In the spring of 1908 a small experimental sowing of several species was made. In the spring of 1909 a small nursery bed was made, where seed of white spruce and jackpine gathered in the previous fall by forest rangers in Manitoba was sown.

2. None in 1906 and 1907. One man in 1908, two in 1909.

3. C. A. Walkinshaw, the forest ranger in charge of the reserve. Salary $100 per month. Time in 1908 not given. Seventeen days in 1909. John Lemon, 17 days in 1909 at $2 per day.

4. The persons employed on the reserve for fire ranging, cutting fire guards and timber inspecting are as follows: 1906, George Maddas, $2; Wm. Maddas, $2; Chas. Calder, $3; J. Reul, $2; D. McIntyre, $4; John Toles, $23; John Hamilton, $321. 1907, Wm. Pitt, $140; David Davidson, $96. 1908, Wm. Turner, $198; Wm. Pitt, $52; David Davidson, $252.50; Thos. Scott, $151; L. Racine, $24; John Lemon, $214. 1909, John Lemon, $377.50; Louis Racine, $37.

5. The seed of all the species sown in 1908 germinated, but it did best in places partly sheltered and not so well in more open spots. The last report for the year 1909 from the forest ranger in charge of the reserve states that on inspecting the place sown he found numerous green heads in the grass which were looking in good condition. A count of the trees was not made to determine the actual number.

A small nursery was started in the spring of 1909 with seed of white spruce and jackpine which had been collected by the forest rangers in Manitoba in the fall of 1908. The seed germinated well, but the plants did not survive satisfactorily owing the extreme heat and dry weather, and to the fact that the forest ranger's services being required elsewhere, he could not give them thorough care. The seed sown in the grass did not germinate, probably owing to the heat and dry weather.

INTERCOLONIAL RAILWAY—ELECTRICAL POWER AT RIVIERE DU LOUP.

Mr. GAUVREAU asked:

1. Is it the intention of the Railway Department to use certain water-powers at Rivière du Loup to develop electrical energy, which is needed for its workshops, or to obtain electricity from the town of Fraserville?

2. If so, what quantity of electrical power does the department propose to have for the use of its workshops?

Hon. GEO. P. GRAHAM. The matter is under consideration.

LAND PURCHASED BY CITY OF BRANDON.

Mr. STAPLES:

1. Does section 6, township 5, range 7, west 1st, belong to the government? If not, to whom was title issued and when?

2. What consideration did the government receive for said land?

3. Does the government know how this land came into possession of the city of Brandon? If so, how and when?

Mr. OLIVER:

1. No; title issued to the city of Brandon on the 17th of May, 1909.

2. The east half of section 28, township 10, range 19, west of 1st meridian, which was revested in the Crown by the city of Brandon.

3. In exchange, under the authority of an Order in Council dated 9th August, 1900, for the east half of section 28, township 10, range 19, west of first meridian, which the municipal authorities of the city of Brandon purchased from the then owner and had conveyed to the Crown, to be used for the purpose of an Indian industrial school, as section 6, township 5, range 7, west 1st meridian, which had been set apart for that purpose, was found to be unsuitable.

EXCHEQUER COURT ACT AMENDMENT.

Bill (No. 159) to amend the Exchequer Court Act.—Mr. Aylesworth—read the second time, and House went into committee thereon.

On section 1,

Mr. AYLESWORTH. This is a Bill which has been passed by the Senate in amendment of the Exchequer Court Act.

The general object of the Bill is to make the Intercolonial railway, including the Prince Edward Island railway, liable for the negligence of its officers or servants. The necessity for such an amendment will be seen by reference to the present law. Under the existing statute, the Exchequer Court has exclusive jurisdiction to hear and determine among other matters, every claim against the Crown arising out of any death or injury to the person or to property on any public work resulting from negligence of any officer or servant of the Crown while acting within the scope of his duties or employment.

The committee will observe the limitation upon this liability which the section, as it now stands, prescribes. It is only a death or injury arising 'on any public work' for which the Crown is liable. That phrase has been interpreted by the courts exactly as it reads, as limiting liability, to the case of an injury resulting in loss of property or of limb, or it may be in death, arising literally on the public work. This amendment proposes to enlarge that liability by making it extend to the case of an 'injury or loss to the person or to property caused by the negligence of any officer or servant of the Crown while acting within the scope of his duties or employment upon, in or about the construction, maintenance or operation' of the railway. So, it will not be limited to something which actually occurs upon the public work, but will extend to anything, no matter though it may be off the public work altogether, which has been caused by the negligence of an officer or servant of the Crown acting within the scope of his duties or employment. A familiar case is the case of a fire, which may not occur on the work at all, but which may be at some distance and off the actual line of the railway. There would, under the existing law, be no liability in such case, unless the death or the injury had been occasioned on the public work itself. And this amendment has been passed by the Senate, as I understand it, with a view to making the liability of the Crown—that is of the railway—extend to these wider cases that I have tried to describe.

Mr. SPROULE. Would this extend to any such line, leased line, or line taken over by the Intercolonial? The Bill refers to the Prince Edward Island railway explicitly, thus making a distinction there. But we have passed an Act giving the power to take over other lines. Would the Bill cover these lines also?

Mr. AYLESWORTH. I can only say that if these lines fall within the description of the Intercolonial or Prince Edward Island railway, the liability would exist, but not otherwise. This Bill is limited to the construction, maintenance or operation of the Intercolonial railway and the Prince Edward Island railway.

Mr. SPROULE. Suppose, for instance, that, by the leasing of some line, the Intercolonial were extended to Georgian bay. That leased line would become part of the Intercolonial system, but would it be a part of the Intercolonial railway under this Bill? It seems to me there might be a difference.

Mr. AYLESWORTH. I am afraid I am not able to say what view the court might take of the position of a leased line. Much might depend on the special terms of the lease under which the road was being operated. One line might be held to fall properly within the description of the Intercolonial railway, and another might not. The special circumstances in each particular case would have to be considered by the court if the question arose.

Mr. SPROULE. Why would it not be proper to apply it to the whole system as well as to a portion of it?

Mr. AYLESWORTH. I can only say that I did not frame this Bill. It has come from the Senate, and has been the result, from what I have seen of the proceedings there, of a good deal of discussion. It was introduced in quite a different form, and ultimately took the form in which it is now before us. I have not had the advantage of any discussion with the gentleman who introduced it in the Senate, but simply have taken charge of it when it came to this House, because it was a measure relating to the disposition of legal matters.

Mr. LENNOX. I would like to have an explanation of the position which this Bill occupies as regards the government. It is introduced as a government measure, and is listed here under the head of 'Government Orders.' I understood—and I do not know whether other members of the committee have understood it in the same way—that all the Bills that come to us in this way are government measures, though they may not have been introduced in parliament by the minister whose names they respectively bear. For instance, I imagine that when we had a Bill under the name of the Minister of Justice, that meant that it was a government measure originating with the government and particularly, as a matter of actual detail, originating with the Minister of Justice. I was going to ask about that before any statement had been made by the minister. The minister said this Bill was passed by the Senate with certain objects. He further makes that clear by saying in the end:

I have not framed this Bill; it was introduced by a gentleman in the Senate.

I think he said in effect that it was put in his name. That may be a proper prac-

tice, I will not say it is not, because I have not had sufficient experience to pronounce upon it, but I am prepared to give my idea about it. I would not have thought it was a proper practice. I do not understand that it is proper or can be proper that a Bill should be presented to this House to all intents and purposes marked as a government measure, as something that has originated, say with the Minister of Justice, be brought in as a government measure, get its place in this committee as such, have precedence as a government measure, and yet not be a government measure. That is what this is. It originated with some individual in the Senate more or less responsible—probably less—and it is then fathered by the Minister of Justice for better or for worse. It evidently does not fill the condition it ought to fill for the reason that, as the minister admits, it may not cover, it probably does not cover, the whole government system of railways. As my hon. friend (Mr. Sproule) has pointed out, there is no good reason why it should not cover the whole system; if it is a good measure it ought to apply to the whole system. So we have the minister putting through a Bill that is not his own, except for the accidental circumstance here adverted to. It is not as bad as the minister forcing through, for instance, the St. Lawrence Power Transmission Bill, but it does not seem to me to be right, and I would like to have an explanation and to know if that is a proper practice. It is not the only Bill placed under similar circumstances among the government orders. Whether the others are in the same condition or not I do not know. There are one or two in the name of the Minister of Finance (Mr. Fielding).

Mr. AYLESWORTH. The remarks I made a moment ago were in answer to the question of the hon. member for East Grey (Mr. Sproule) as to whether this Bill did not extend to other lines of railways than those mentioned on the face of the Bill. I gave the exact and accurate answer to that inquiry. I did not frame the Bill, the Bill was introduced into the Senate, not as a government measure, but by a member of the Senate who is not a member of the government. It was passed by the Senate in its present shape after much discussion. I have moved the second reading of it and adopted it as a measure which I am quite prepared to father and for which I am quite prepared to take the responsibility. If any hon. gentleman thinks it does not go far enough he is at liberty to move an amendment, and if that amendment is carried by this House it will go back to the Senate as an amendment so made for the consideration of that body. But this Bill as it stands is one that I present on behalf of the government as an extent to which the government is prepared to go in this matter.

Mr. LENNOX. This does not meet the case. The point is that there must be some fair treatment of members of the House and of the Senate. A private member introduces a Bill very much in the public interest, recognized at least by the public as in the public interest, or a senator may do so, but he cannot get it through. Is it right that fish should be made of one and fowl of another, and that the Minister of Justice or another minister of the Crown should take up a private Bill and give it that precedence that it has by reason of being a government Bill, introduce it into this House, put it among government orders and not say a word about it unless such words as may accidentally fall from him in the course of discussion. It seems to me that this kind of thing will lead to a very serious abuse. It is not treating the House fairly to introduce a Bill in that way without an announcement to that effect, and the mere statement that the minister is prepared to assume responsibility for it does not meet the whole question. Supposing that the government have a perfect power to do this kind of thing, I doubt the expediency, the propriety or the fairness of such a course. I do not think it is giving a fair chance to members of the House and of the Senate to stand on equal terms. If the government will say that they will take every Bill introduced by a private member and put it through the House after the time at which public Bills introduced by ordinary members can be put through, well and good, but to leave it in the position that supporters of the government, members who have the sympathy of the government, can get Bills through and others cannot, is not fair.

Sir WILFRID LAURIER. My hon. friend is altogether in error, and a moment of consideration will satisfy him of his error. The moment a measure appears on government orders, it is because the government assumes the fatherhood of it. A measure can be introduced by a private member. A good many are introduced by private members, which remain on the order paper, but if the government, for reasons which are satisfactory to themselves, choose to take one of these as their own, they put it on the order paper. It has been done almost every session, not only for favourites of the government, but for members of the opposition as well, it has been done because of the character of the measure introduced. I am ready to admit that there are on the order paper several measures which in the eyes of my hon. friend (Mr. Lennox) have great merit, but

my hon. friend will not be surprised if I tell him that measures which might have merit in his eyes might have no merit in mine.

Mr. LENNOX. There is no doubt about it.

Sir WILFRID LAURIER. This is a measure which has merits in the eyes, I believe, of my hon. friend and of the government also, and for that reason it has been adopted by the Minister of Justice, who thought he was doing a good thing in adopting it. I think my hon. friend from East Grey (Mr. Sproule) is the first to agree with him. The only criticism of that hon. gentleman was that the measure did not go far enough. I am prepared to say there is a good deal to be said in favour of the contention of my hon. friend from Grey, but the Minister of Justice did not consider whether or not it went far enough; so far as it goes, it is satisfactory to every one in the House, and I think for that reason it ought to be adopted.

Mr. SPROULE. I think it unfortunate that we should leave the measure with the anomaly that an action may be brought in the Exchequer Court with regard to damages on one portion of the Intercolonial Railway system and not with regard to damages on another portion, so that there is redress for a sufferer on one portion and not on another.

Sir WILFRID LAURIER. The criticism of my hon. friend (Mr. Sproule) is right; for my part, I agree with him. My hon. friend the Minister of Justice (Mr. Aylesworth) has said nothing to the contrary. He said that he would not be prepared to say that the Bill would not cover the case put forward by the hon. member for East Grey. I am giving my own judgment. I would not put my opinion against that of the Minister of Justice, but, as I understand it, the moment a line of railway is leased by the government and brought under the administration of the Intercolonial railway, it would be covered by this legislation. The Minister of Justice has had more experience in these matters than I have had, and he would not go as far as I in expressing his opinion, but if it were to turn out that I have taken too sanguine a view of the matter and that this Bill does not cover the point of my hon. friend, I see no reason why we should not extend it later on.

Mr. SPROULE. I think we should make it plain now.

Bill reported, read the third time, and passed.

At one o'clock, House took recess.

House resumed at three o'clock.

CURRENCY ACT AMENDMENT.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to provide for a revision and amendment of the Currency Act, chapter 25, of the Revised Statutes.

Further resolved, that the standard for gold coins of the currency of Canada be such that of one thousand parts by weight, nine hundred shall be of fine gold and one hundred of alloy; and the standard for silver coin shall be such that of one thonsand parts by weight nine hundred and twenty-five shall be of fine silver and seventy-five of alloy; that the standard weight for gold coins of the denomination of ten dollars in the currency of Canada be two hundred and fifty-eight grains, and the standard weight for a silver coin of the denomination of fifty cents be one hundred and eighty grains, and for other gold coins and silver coins proportionate weights respectively; that the Minister of Finance be authorized to issue out of the Consolidated Revenue Fund such sums as may be necessary for the purchase of bullion in order to provide supplies of coin for the public service; and that the cost, charges and expenses incident to carrying out the provisions of any Act founded upon these resolutions be paid out of the Consolidated Revenue Fund.

Mr. FIELDING. This resolution is a necessary step towards the introduction of a Bill to revise and amend the Currency Act. The amendments, while necessary, are not very important, and I have no reason to suppose they will be contentious.

Mr. R. L. BORDEN. What do the proposed amendments amount to?

Mr. FIELDING. The main change is to enable us to carry out the intention of the government to provide a gold currency for Canada. There is a provision in the existing law for a gold currency, but it is found not to be very workable. The currency of Canada is on a gold basis, and as we all know, the British sovereign has the standard value of four dollars eigthy-six and two-thirds cents. We have in reality a second gold standard, the difference being so slight that it has not hitherto been deemed necessary to call attention to it. As a matter of fact the American gold coins are legal tender in Canada, and for ordinary purposes it is the American gold coin and not the British gold coin that is used in Canada.

Mr. R. L. BORDEN. How are the American gold coins legal tender in Canada?

Mr. FIELDING. They are, and have been for many years, legal tender under our Currency Act. There being thus two gold standards it might naturally be assumed that they would be proportionately the same value, but they are not exactly the same. There is a fraction of dif-

ference, not large enough to affect commercial transactions, but large enough to demand consideration in a Currency Act. If we should make the Canadian five dollar gold piece on the basis of the British sovereign at the value of four dollars eighty-six and two-thirds cents, we would be producing a coin intrinsically of less value than the American $5 piece, and as we have, like the United States, a decimal coinage, it would be manifestly inconvenient if our $5 gold piece should be intrinsically of less value than theirs. The effect of the change is that we shall make our $5 gold piece of just a trifle more value than it would be if we made it on the basis of the British sovereign. Therefore, the American $5 gold piece and ours will be intrinsically of the same value. It would no doubt be found convenient in time that these coins should be interchangeable across the border, although I do not know that our American neighbours would likely make ours a legal tender as we did theirs. Perhaps the time may come when we shall no longer need to make the American gold coins a legal tender; but it is legal tender now, and the trade and commerce of the country has found it advantageous. We propose to make the gold coin of Canada of a quality, weight, fineness, &c., which will correspond exactly with the American gold coin.

Mr. R. L. BORDEN. What would be the exact value of the British sovereign upon the same basis?

Mr. FIELDING. The difference is very fractional. We shall still recognize the British sovereign as four dollars and eighty-six and two-thirds cents, and I think the actual value is four dollars eighty-six cents and some small fraction. The difference is so small that it will not affect ordinary transactions, but in a Currency Act we must take notice of it. Another point is that if we were to make a $5 gold piece on the basis of the British sovereign, four dollars and eighty-six and two-thirds cents, we would have a coin which in weight could only be expressed in most inconvenient decimals. It is advantageous that the weight of the coin should be such that it can be conveniently accounted for in all operations. These are the main changes although some few other changes are made for the improvement of the Act.

Resolution reported, read a second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 195) respecting the Currency.

Motion agreed to, and Bill read the first time.

CUSTOMS AND FISHERIES PROTECTION ACT.

Hon. A. B. AYLESWORTH (Minister of Justice) moved second reading of Bill (No. 138) to amend the Customs and Fisheries Protection Act.

Mr. R. L. BORDEN. Will the hon. gentleman explain.

Mr. AYLESWORTH. The object of this Bill is to supply an omission from the present law on the subject. The statute relating to the protection of customs and fisheries, chap. 47, Revised Statutes of Canada, provides that in the case of a seizure of goods, or of a ship, every penalty or forfeiture may be recovered, or enforced in the Exchequer Court, on its admiralty side, or in any Superior Court in the province, within which the cause of prosecution arose. Pursuant to that provision of the statute the Exchequer Court has promulgated its rules of procedure, but some of the provincial courts, and possibly all of them, have not done anything of that nature. The result has been that when proceedings to enforce a penalty or forfeiture of this character have been instituted in provincial courts there has been no practice laid down by any rules which could be followed, and such proceedings have, in consequence, in some instances, proved nugatory, and the advantage of being able to resort to provincial courts has been thus practically taken away. This Bill proposes to remedy that defect by adding as a subsection to the section I have referred to, a provision that in so far as there are no general rules made by the Superior Court of any province, the practice and procedure in cases of this character in the provincial court shall be regulated by the practice and procedure for the time being in force in the Exchequer Court.

Motion agreed to, and Bill read the second time, considered in committee, reported, read the third time, and passed.

MILITARY PENSION ACT AMENDMENT.

Sir FREDERICK BORDEN moved the second reading of Bill (No. 194) to amend the Militia Pension Act. He said: This Bill is based upon resolutions which were explained and discussed very fully in Committee of the Whole.

Motion agreed to, Bill read the second time, and House went into committee thereon.

On section 6B, subsection (e),

Sir FREDERICK BORDEN. This is a new provision, and is the most important provision of the Bill. It is proposed to allow an officer who is transferred from the active militia to the permanent force, to count on retirement one half the time he has served in the active militia up to ten years and not more, though

he is not to count that service at all until he has served ten years in the permanent force. It is often very desirable to utilize in the permanent force the services of officers who have distinguished themselves in the active militia, but such officers have been very slow about entering the permanent force, because no portion of their time of service in the active militia counted for a pension, and very often they would not think of going into the permanent force until they had reached the age of 45 years or over, so that it was impossible for them to secure a pension, the minimum service for a pension being 20 years. But under this provision, an officer of the age of 50 who has distinguished himself in the active militia, say a lieutenant-colonel could come into the permanent force and serve his ten years there before reaching the age of 60; and if he had served 20 years in the active militia, he would be entitled to count ten years of that service, so that at the age of 60 he would have 20 years' service to his credit, and be able to retire with a pension. It is thought to be in the public interest that this should be encouraged, and we believe it will be greatly to the advantage of both services.

Mr. R. L. BORDEN. Is there any definition of the word 'force'?

Sir FREDERICK BORDEN. Yes, it means the permanent force.

On section 2,

Sir FREDERICK BORDEN. Subsection 2 of section 12 of the Militia Pension Act reads as follows:

Time served in His Majesty's regular forces may be counted towards a pension in the case of non-commissioned officers and men transferred to the permanent force in connection with the taking over by the government of Canada of the garrisons at Halifax and Esquimalt.

To that we add,

And in the case of such non-commissioned officers and men as have been or may hereafter be transferred from His Majesty's regular forces to the permanent force under arrangements made between His Majesty's government and His Majesty's Canadian government as to the pensioning of such non-commissioned officers and men.

It is simply extending the application of this provision to the non-commissioned officers, and men of the British army who may come into our force, it allows their time to count. At present the men do not contribute towards the pension, neither here nor in England. As a large number of our permanent force come from the British army, it is convenient to draw our men from that force. The object of this provision is to enable us to give due consideration to such men, and an opportunity of counting the time which they have served in the British army.

Mr. R. L. BORDEN. What are the arrangements referred to?

Sir FREDERICK BORDEN. That would be by order in council, or exchange of despatches between the war office and the colonial office, and this government.

Mr. R. L. BORDEN. Have any arrangements been actually made, or does this refer to arrangements that may be made in the future?

Sir FREDERICK BORDEN. I think the arrangements are now pending.

On section 3,

Sir FREDERICK BORDEN. This includes our own men who have served in South Africa, and other places, applying the same rules that apply to the officers.

Mr. CROCKET. Does time count from the date they are first enlisted in Canada, in the case of the South African men?

Sir FREDERICK BORDEN. I think so.

Mr. DANIEL. In subsection (e) of 6B section 1, what do these words mean, 'half the time served in the active militia other than the force?'

Sir FREDERICK BORDEN. That means the active militia. The active militia strictly includes the permanent force, the permanent force is a branch of the active militia; so those who have served in the permanent force are already provided for. This is providing now that service in the active militia shall also be counted to the extent of one-half.

Mr. DANIEL. But the word 'permanent' is not there.

Sir FREDERICK BORDEN. Where the word 'force' in the Pension Act occurs it is explained to mean the permanent force:

(e) Time served in the employment of the government of Canada in connection with the militia stores of Canada prior to the organization of the ordnance stores corps.

Mr. R. L. BORDEN. What does that mean?

Sir FREDERICK BORDEN. Formerly the men who served in what is now known as the ordnance stores served as civilians. They were men really too old to enlist in the ordnance corps when the ordnance corps was established, and it is thought that their time ought to count, and that they should receive a small pension. There are only some half dozen such cases.

Mr. SPROULE. You do not include officers of the Northwest Mounted Police Force. Why do you make that distinction?

Sir FREDERICK BORDEN. We do not include time served in the active militia, either. The men of the Northwest Mounted Police do not contribute to the pension fund, only the officers contribute, and the same way with the permanent force.

Mr. SPROULE. It is the officers I am speaking of. You say time served in the Royal Northwest Mounted Police shall be included in the time of service of an officer for the purposes of the Act, and when you extend this clause of section 12 of the old Act, you do not include them, although you include all the others.

Mr. R. L. BORDEN. The reason it was not included in section 3, I think, is that section 3 deals only with men, and not with officers. But the principle my hon. friend from Grey (Mr. Sproule) raises is as to the service of the men in the Northwest Mounted Police. As I understand the point, it amounts to this—that if you give to officers the advantage of including time which they have served in the Northwest Mounted Police, why should you not give to men the advantage of the time that they have served in the Northwest Mounted Police?

Sir FREDERICK BORDEN. I do not think the condition is likely to arise as regards men. The Act has been very carefully drafted to meet all the requirements of the department, and I feel sure that it does so. I can see no reason why the Northwest Mounted Police might not be included, but I feel sure it is unnecessary. However, I will look into that matter. The Bill might be allowed to go through, and it will be very easy, at another session of parliament, to amend it if necessary. But I am sure it is not necessary.

Mr. WALLACE. Why should not it include non-commissioned officers and men who go into the permanent force?

Sir FREDERICK BORDEN. It will in this way: If a man who has served in the active militia, in the ranks or as a non-commissioned officer, should join the permanent force and be promoted to the rank of a warrant officer, then his time would count. But I think it would be very inconvenient—there would be so many difficulties in proving service—and very undesirable that we should count the time of men as privates in the permanent force who have served as privates or non-commissioned officers in the active force.

Mr. WALLACE. How about the man who has been sergeant-major in an infantry regiment for a number of years, and who goes into the permanent force and becomes a sergeant?

Sir FREDERICK BORDEN. If he should join the permanent force and be promoted, as he undoubtedly would be, to the rank of a warrant officer, when it came time to pension him, his time served in the active militia, if he could prove it—and undoubtedly a man of that class could do so—would be counted towards the pension.

Mr. WALLACE. There are so few promoted to be warrant officers, it seems hardly fair.

Sir FREDERICK BORDEN. A great many are appointed warrant officers.

Mr. DANIEL. I would ask if, in the Pension Act, there is provision for pensioning non-commissioned officers and men?

Sir FREDERICK BORDEN. Yes. And non-commissioned officers and men are not called upon to contribute in any way. The officers contribute five per cent annually—it is deducted from their pay. But non-commissioned officers and men who have served twenty years are pensioned without having contributed anything.

Bill reported, read the third time, and passed.

ROCKY MOUNTAINS PARK OF CANADA.

House went into committee to consider the following proposed resolution:

Resolved, that the regulations of the 21st day of June, 1909, intituled: 'Regulations of the National Parks of Canada,' which were passed on the date above mentioned by His Excellency the Governor in Council, under authority of section 4 of the Rocky Mountains Park Act, being chapter 60, R.S.C., 1906, copies of which regulations, as well as the necessary order in council, have been laid before this House, are, in so far as they relate to the Rocky Mountains Park of Canada, approved by this House, in accordance with provisions of subsection 3 of section 5 of the said chapter 60.

Hon. FRANK OLIVER (Minister of Interior). This resolution is required in order to give legal effect to the amendment and consolidation of the regulations governing the national park which were passed last year under authority of council. The original regulations under which the national park is controlled were passed many years ago, and, of course, before the park had been in operation. Since that time, it has been found that in certain particulars they fell short of the requirements, and in other particulars they were perhaps, a little in advance. So, after many years of enforcement there was a general amendment and consolidation which we now ask the House to give effect to. The provision of the National Parks Act is that regulations which are passed and given effect to in the first place by the Governor in Council must be endorsed by parliament in order to be

maintained in effect. The principal changes that are made include the following:

The reservation of a strip of 100 feet along all bodies of water in the park.

Changes, mostly of a verbal nature, are made in clauses relating to erection of buildings, defacement or removal of natural objects, trees, structures, &c., and also providing for the seizure and disposal of any timber, minerals, &c., taken unlawfully.

New clauses are added regulating the use of fire in the open air which was not covered by the old regulations. They require precautions in using fire, and make provision for proper equipment of locomotives and clearing of railway right of way. These clauses are similar to those adopted for the forest reserves.

A new clause provides that camping parties must clean up camping grounds before leaving.

For the villages in the park, regulations are made requiring connection with the sewer, preventing loafing on the streets or obnoxious or disorderly conduct.

Changes in details are made in regard to pasturage and hay so as to make the regulations work satisfactorily. None are of special importance.

Changes are made in the dues for sand, stone, gravel and lime, reducing them slightly.

Hot Springs: The change is a provision suggested by Mr. John Galt, civil engineer, that no further licenses for the use of water from the Hot Springs should be granted except by special order in council.

A number of additional occupations and businesses, such as restaurants, theatres, circuses, &c., have been brought under the license system so as to secure fuller control. The regulation for licensing guides for camping parties has been enlarged so as to place more responsibility on guides and place them under more control.

Sale of liquor: It is merely provided that liquor shall not be sold without a license. This leaves out additional provisions of the old regulations which are better covered by provincial legislation.

Persons in the park are required to answer inquiries of rangers or game guardians and livery stables, and outfitters must keep records open to rangers of parties sent out by them.

It is provided that dogs shall not run at large; that no firearms shall be kept or carried, except by duly authorized game guardians, unless properly sealed; that there shall be a right of search where game is suspected of being had in possession unlawfully; that not more than fifteen fish shall be taken in one day and none less than six inches in length. The appointment of game guardians is provided for.

The Rocky Mountains Park Act provided an extreme penalty of $50 for violation of regulations. The old regulation reduced this to $20. It is considered that $50 is not too large a penalty for serious offences.

The new regulations have been in force since the beginning of last summer and have been found to meet the requirements. Of course from time to time amendments will have to be made, but our experience is that the amendments contained in these regulations were necessary and desirable, and we are asking the House to confirm them.

Mr. R. L. BORDEN. I submitted these regulations to some of my friends who are more familiar with these matters than I am. I do not think they are in the House to-day, and perhaps the minister will allow this to stand until to-morrow. What is the general policy of the government in regard to the leasing of portions of these parks for residential purposes? Is it purely a matter of application and arrangement with each individual person who may desire to procure a lot, or are the properties disposed of by public auction, or in some such way as to give equal opportunities to all persons who may desire to avail themselves of such privileges?

Mr. OLIVER. The policy, of course, is that there shall not be any general acquiring of residences throughout the park; it is a reservation for the benefit of the public, and of course in its very nature it is not intended to be dotted here and there with occupation. So, the policy of the government is not to allow residences to be established except in definite locations where they will be most convenient, and where they will be most required. A person would not be allowed to establish a residence in some attractive place in the park simply because he desired to do it. It is felt that the natural beauty of the park should be preserved. To allow occupation the townsite of Banff is laid out, and within that townsite the lots which have been surveyed are leased at a certain fixed rental for a fixed term of years. There is no competition, the rentals are scheduled, and whoever wishes to apply for a lot gets it on the application, and on the conditions as to residence and construction, and observance of the laws, &c. that are contained in the lease. Canmore, a coal mining town, I think was established before the park was set apart, so that there is private ownership of property in some portions of Canmore, but so far as the jurisdiction of the government is concerned, the lots are leased. Some time ago an amendment was made which permitted the government to sell lots in those towns, but so far that provision has not been availed of, and all the lots are under rental in both Banff and Canmore. Bankhead, a coal mining

town, is under the control of the Canadian Pacific railway, but the principle there is the same. Wherever it is found necessary or desirable to permit residence, as in the case of these towns, a survey is made, and the lots are leased for a term of years under certain conditions and rental. Outside of this, permanent occupation is not permitted.

Mr. R. L. BORDEN. As I understand, the opportunities for application are the same to all persons.

Mr. OLIVER. Oh, yes.

Mr. R. L. BORDEN. The rules are general rules applicable to all persons who may desire to acquire one of these lots. I presume there are restrictions as to the character of buildings, &c.?

Mr. OLIVER. Of course in the beginning when the town was laid out it was not desirable or possible to impose any serious restrictions, and as a consequence some parts of the town of Banff are perhaps not quite what might be desired. But under the administration as it is now, permission is only given for buildings of a certain size, and character, and the lessee must conform to the regulations in the matter of obeying the rules laid down or his lease is forfeited.

Mr. J. HAGGART. Has the minister considered whether he has any jurisdiction in making regulations in reference to the protection of game, other than what the proprietor or a person having the fee simple to that land would have?

Mr. OLIVER. I am under the impression that under the old Rocky Mountains Park Act it was declared that the Dominion with whom rested authority for the protection of game should have charge of that protection within the park. I do not know that that provision has been adequately provided for in the Bill creating the province of Alberta. However, there is no conflict, and no need of conflict in the matter. The province of Alberta passes legislation for the protection of game, and within the park we take measures to see that the game laws of the province are carried out, and we take such further measures of protection of game within the park, so far without any conflict whatever with the provincial authorities, because it must be quite evident to every one that the provincial authorities are just as anxious to have the game within the park thoroughly protected as the Dominion is. When the protection is given at the instance of the Dominion they are very well satisfied with the arrangement. In regard to fishing, the question does not arise in the park any more than any where else. The fishery protection service of the Dominion is carried on throughout the western provinces, whether by proper authority or not I am not here to answer, but the same right that exists throughout three prairie provinces is being exercised in the park; that and no more.

Mr. ROCHE. I would like to ask the minister if the policy he has just enunciated in regard to the disposition of lots for residential purposes in this national park is also applicable to the forest reserves. There are some very desirable locations in some of these forest reserves. For instance, in the Riding Mountain timber reserve, Clear lake is a beautiful lake, it is free of timber, and I am aware that several persons have applied for lots for the purpose of having summer cottages. Is this policy for the disposal of lots for such purposes applicable to forest reserves in the same way as it would be in the national park?

Mr. OLIVER. I might explain that the purpose of the reservation of the Rocky Mountains park is entirely different from the purpose of the forest reserves. The reservation of the Rocky Mountains park was for the purpose of pleasure. It was placed under reservation to be used by the people of Canada, and those of the rest of the world who wished it as a pleasure park, and so, in our regulations, control and administration of the Rocky Mountains park, we contemplate the presence of people, the coming and going of people, in, we hope, very large numbers; whereas, the forest reserves were set apart without having in view the presence of people. Rather the absence of people was in contemplation, the object being to secure the growth, preservation and reproduction of timber. So that, the policy of the one is entirely different from the policy of the other. At the same time the question that my hon. friend has raised does exist, or is raised, in regard to a number of forest reserves, and I may say that we propose to measurably apply the policy regarding pleasure parks to certain parts of the forest reserves such as the case which my hon. friend has mentioned. We propose to do something of the kind with regard to the reserve that was created at the Waterton lakes in the Rocky Mountains near the international boundary line. Wherever, in any forest reserve, some portion is found that can be used for pleasure purposes without endangering the general purposes for which the reserve was set apart, it would be the policy of the government to take such measures as would meet the case. I am not able to say whether special legislation will be required or not. I am not sure whether the provisions of the Forest Reserve Act would permit us to make an arrangement such as that which applies

to the Rocky Mountains park, but it is a matter of detail. If we are not permitted to do that by the Forest Reserves Act as it stands at the present time I have no doubt that the House will agree, in due course, to legislation that will enable us to do so.

Mr. J. HAGGART. Does the minister remember the terms on which the park was taken over, and does he remember whether there was a declaration that it was a work or a reservation for the general benefit of the people of Canada?

Mr. OLIVER. I have not the Act in my hand, but I am satisfied that there was such a declaration.

Mr. J. HAGGART. Well, that may alter the argument a little, but if there were not something of the kind the local government could not convey their power of legislating with reference to game on that particular portion of their territory, and regulations in reference to game would be void.

Mr. OLIVER. There is an arguable question. Even although the park was set apart for the general advantage of the people of Canada, and I am satisfied that the Act so declared, I am afraid that the provision was not carried forward into the Autonomy Bill creating the province of Alberta. But, it is recognized to be desirable from all points of view that the game should be protected, and that it is necessary, and desirable that provision for actually taking care of the game should be made, and should be made by this government in pursuance of its policy of preserving the park as a pleasure resort. While friction might arise, I think the probability is very distant; certainly it has not arisen, and I do not think it is likely.

Mr. R. L. BORDEN. I would think that the proprietary rights of the Crown in the right of Canada would be ample enough to give them jurisdiction to make some regulations at least. I would be a little surprised to find that there was any declaration such as that to which the minister alludes, because I do not see how a park could be declared to be a work for the general advantage of Canada. It seems to me that that would be a very unusual declaration, because the word 'work' has no such meaning in the British North America Act. But, inasmuch as the government of Canada would have the right, by virtue of its proprietary interest, to exclude any person from coming within the limits of the park, I suppose it might qualify the right to enter the park by means of regulations; in other words, it having the right to exclude altogether, it could give the right of admission subject to certain regulations, and perhaps that might be sufficient to justify the regulations which the minister has made, although I have not examined the subject with any great care.

Mr. OLIVER. We have been very careful. We have recognized that our position is not established as one of absolute control, and therefore we have gone carefully, and with due regard to the game protection policy of the province. I am satisfied that we have sufficient jurisdiction to create a good deal of friction if we wanted to. We do not want to, and I think the House may rest assured that the provisions we are asking it to assent to, and the administration of those provisions will guarantee that there will be no friction.

Mr. HERRON. I would like to inquire of the minister about the Kootenay lakes timber reserve. The minister is aware no doubt how beautiful those lakes are, and there is a great desire on the part of many people to build there. I would like the minister to inform me if the applicants can get permits to build in or about the Kootenay lakes. It is probably a timber reserve although I am not quite sure to what class it belongs.

Mr. OLIVER. The answer would practically be the same as that I gave to the hon. member for Marquette (Mr. Roche). I mentioned the Kootenay lakes reserve as being a forest reserve, not a park reserve, but it is of a class in which it would be very desirable to permit a part of it to be used as a park reserve. It is our policy to make such arrangements as are necessary to that end. We may need special legislation, but if we do not we will make provision without further delay. However, these regulations have no application whatever to any other than the Banff park.

Mr. HERRON. Under the present regulations can a person obtain by lease or in some other way a site around the Kootenay lakes to erect a building?

Mr. OLIVER. I think there is some provision whereby building privileges can be secured. In reply to my hon. friend (Mr. J. Haggart) I may say that section 3 of the Rocky Mountains Park Act reads:

> Said tract of land is hereby reserved and set apart as a public park and pleasure ground for the benefit, advantage and enjoyment of the people of Canada, subject to the provisions of this Act and of the provisions hereinafter mentioned, and shall be known as the Rocky Mountains park, Canada.

Progress reported.

IRRIGATION ACT—AMENDMENT.

Bill (No. 186) to amend the Irrigation Act was read a second time and the House went into committee thereon.

On section 1,

Mr. OLIVER. The matter of drainage is being dealt with by the provincial governments and there are applications which are of a very minor character in respect to which it is unnecessarily burdensome to require plans to be filed in all cases as the existing statute provides. Under this, instead of requiring plans to be filed in all cases they need only be filed when the Minister of the Interior considers the work of sufficient importance to demand them.

On section 2,

Mr. OLIVER. The Act as it now stands contemplates the reservation by the minister, of land which it is desired to use for reservoir sites, or for the right of way of irrigation canals. We propose to add to that the right to expropriate in case some part of the area desired to be taken as a reservoir site may have passed into private hands. Of course, the holding of one small piece of private property would defeat the purpose of the government in making a general reservoir.

Mr. J. HAGGART. If you own the lands you have the right to reserve them, but the minister is taking power here to expropriate, for the purpose of irrigating a section of the country, land which may be vested in the provincial government. Is the minister quite sure he can do that constitutionally?

Mr. OLIVER. The hon. gentleman may be quite correct, but that view is entirely new to me. This parliament has declared that all the rights to all waters in the three prairie provinces shall be vested in the Crown in the right of the Dominion. The right over all waters in the three prairie provinces was vested in the Crown in the right of the Dominion, and the Acts providing for the establishment of the new provinces have preserved that right to the Dominion.

Mr. J. HAGGART. Do the Autonomy Acts reserve to the Dominion all the water rights over both navigable and non-navigable streams?

Mr. OLIVER. Yes, as I understand the matter. At any rate, I am not presuming to establish the fact either one way or the other. I merely desire to amend the legislation which is on the statute-book, whether it is constitutional or otherwise, and I am saying that when we take the power to reserve, we should, in order to make that power effective, also take the power to expropriate.

Mr. R. L. BORDEN. As I understand, what the minister is endeavouring to accomplish is this. There may be a certain tract in one of the western provinces which it would be eminently desirable to reserve for water storage, for irrigation canals and ditches; but it may have happened that before the importance of that proposal was recognized by the department, some portion of that land may have been alienated and homestead rights upon it may have been granted. This legislation is to permit the government in such cases to acquire that land by expropriation in order that the proposal may be carried out in exactly the same manner as would have been possible except for that alienation.

Mr. OLIVER. That is an absolutely correct statement of our position.

Mr. J. HAGGART. I understand that that is the object of the minister, but I very much doubt the power to carry it out.

Bill reported, read the third time, and passed.

NAVIGABLE WATERS PROTECTION ACT.

Mr. PUGSLEY moved that the House go into committee on Bill (No. 103) to amend the Navigable Waters Protection Act.

Mr. R. L. BORDEN. Will the minister explain the object?

Mr. PUGSLEY. The two sections of the present Act, which it is proposed to appeal, are sections 4 and 5 of chapter 115 of the Revised Statutes. Section 4 is as follows:

> No bridge, boom, dam or aboiteau shall be constructed so as to interfere with navigation, unless the site thereof has been approved of by the Governor in Council, nor unless such bridge, boom, dam or aboiteau is built and maintained in accordance with plans approved by the Governor in Council.

I propose to enlarge the scope of that by including in it the words: 'wharf, dock, pier or other structure of any kind.' Then I propose to leave out the limitation expressed by the words: 'so as to interfere with navigation,' and to provide that none of these structures 'shall be built or placed in or across any navigable water, unless the site thereof has been approved,' &c. The object of the change is to give to the Governor in Council a larger measure of control over navigable waters and over works which may be constructed in, upon or across such waters.

Mr. J. HAGGART. Will that apply to those already built?

Mr. PUGSLEY. No, only to the future. It is a curious fact that as long ago as 1870, parliament passed an Act relating to the Ottawa river which gave the government absolute control over all works on that river in these words:

> The navigation of the River Ottawa, as well by vessels and boats as by rafts and cribs of timber or logs, is hereby declared to be sub-

ject to the exclusive legislative authority of the parliament of Canada, and all canals or other cuttings for facilitating such navigation, and all dams, slides, piers, booms, embankments, and other works of what kind or nature soever in the channel or waters of the said river, or in which the waters of the said river are used, and in whatever province situate, and whether constructed or to be constructed, and whether constructed by the government of Canada or by the government of the late province of Canada, or by the government of Upper or Lower Canada, or by any private party by the consent and authority of any of the said governments, which shall, from time to time, be recognized by the Governor in Council, on the report of the Minister of Public Works, as being or as having been, constructed for any purpose of public utility, shall be held to be works for the general advantage of Canada, and, with all works of like character, no matter by whom constructed and whether being recognized as being for the general advantage or not, situate in or on the waters of the said river, shall be subject to the exclusive legislative authority of the parliament of Canada, and shall be under the control and management of the Department of Public Works, and subject to the provisions of the Act, intituled, 'An Act respecting the Public Works of Canada.'

Mr. J. HAGGART. That does not apply to wharfs.

Mr. PUGSLEY. It says piers.

Mr. J. HAGGART. Those piers are for the purpose of facilitating the passage of timber down the river, and are not to be utilized as wharfs.

Mr. PUGSLEY. The word pier is often used to mean wharf. Moreover, this says, 'and other works of what kind or nature soever,' which would surely include wharfs. I quote this only to show how far parliament went with regard to the Ottawa river; but, strange to say, with regard to other navigable waters throughout Canada, the only provision is one applicable to a bridge, a boom, a dam or an aboiteau, there being no reference whatever to wharfs or other structures which might be as objectionable in navigable waters as any one of these four works which the section refers to. Another objection to this section is that it limits the power of the Governor in Council to cases which actually interfere with navigation, and the question would naturally arise as to who shall be the judge as to whether or not a particular work does interfere with navigation. As I mentioned when the Bill was being read a second time, in quite a number of cases the provincial governments have erected bridges across navigable rivers in cases where I think it would be proper that they should come to the department at Ottawa for approval of their plans. But they have contended that these bridges do not interfere with navigation, that is, they take the ground that in some cases, while the river is navigable, it is not navigated, and, therefore, their works cannot be said to interfere with navigation. My attention has been particularly called to the case of a bridge which was built across the South Saskatchewan river by the Alberta government. There is no draw in the bridge. Their action was followed up by telegraph and telephone companies which strung wires across the river. A little later on an enterprising citizen living further up the Saskatchewan river concluded he would build a tug boat. He started down the river with it, and got entangled in the wires and by the bridge, and the result was that his boat was wrecked, and the unfortunate man lost $9,000 or $10,000 worth of property, and apparently has no redress against anybody for the damage he sustained. I think it is in the interest of the country generally that, as the Dominion parliament has control of navigation, it should have control of works of whatever nature or kind that may be placed in navigable waters, and that parties proposing to erect bridges, or wharfs, or booms, or anything which may prove an obstruction to navigation, should come to Ottawa and file their plans with the department and get approval thereof. If, in the opinion of the engineers, the work would not unreasonably interfere with navigation, there is no doubt the approval would be granted. I may mention a case that occurred recently in respect to the harbour of Victoria. The Grand Trunk Pacific were proposing to construct a wharf in connection with their steamship service to the city of Victoria. They fortunately seemed to recognize, what a great many other people and companies recognize, that they ought to come to the Public Works Department, even although the statute is silent on the question of wharfs. They came to the department and their plans were sent out to the resident engineer. He naturally consulted with the public bodies there, like the harbour association, the board of trade, and the officials of the Canadian Pacific Railway Company, and the general opinion was that if the wharf were built as the Grand Trunk Pacific proposed, it would seriously interfere with the navigation of the harbour, it would seriously interfere with the handling of the steamships of the Canadian Pacific railway. Consequently the engineer reported against allowing the wharf to be built as proposed, the Grand Trunk Pacific consented to alter the plan, and the Canadian Pacific railway and the board of trade consented, and in that way the whole difficulty was overcome. I only mention that case as an instance of the desirability of having the plans of any structure obstructing navigable waters, submit-

ted to the department for approval. Section 5 of the old Act, strange to say, is limited to bridges, it simply says: 'any bridge to which this part applies.' We desire to substitute the following:

Any work to which this part applies, which is built upon a site not approved by the Governor in Council, or which is not built in accordance with plans so approved, or which, having been so built, is not maintained in accordance with such plans, may be removed and destroyed under the authority of the Governor in Council.

Why, in section 4, some four different classes of work should be mentioned, and why, in section 5, only one of these four classes should be mentioned, I am unable to understand.

Mr. J. HAGGART. Does this apply only to works to be built?

Mr. PUGSLEY. Only to works to be built in future.

Mr. BOYCE. How does the minister construe the words 'navigable waters'? Does that mean that no obstruction of the class mentioned in section 4 proposed to be amended, shall be built without the authority of the minister or of the Governor in Council? In the case of a reach, or a bay, which leads out to a navigable water, and which is not in itself navigable, would this Act impose upon any one proposing to construct a pier or a bridge for private use, the necessity of applying to the Governor in Council for permission?

Mr. PUGSLEY. No, it is limited expressly to a navigable water, structures which are proposed to be built upon a navigable water.

Mr. HENDERSON. The Bill which the hon. gentleman proposes, I fear, may go a good deal further than he really intends. I have drawn his attention already privately to a matter in my own county. Along the shores of Lake Ontario, the waters are constantly washing away the land, and deep erosions have been made in the shore, so much so that in one instance I was informed by a former owner of the land that an apple tree growing 120 feet from the shore 25 years ago, has now entirely disappeared. That means that 120 feet of land on that farm has been washed away in the course of 25 years. In other places, roadways are interfered with, and there is a danger that land will have to be acquired to provide new roadways to supply the place of the travelled road which possibly has been in use from 75 to 100 years. Even in the village of Burlington, where a government property is only a short distance from a deep erosion across the street, there is danger that before many years the government will have to acquire another drill hall, or they will have to do something in the meantime to stop the destruction of the shore by the waves. Now the plan that is being adopted by the farmers and the municipal council is to throw out groynes or docks, or wharfs, from 75 to 100 feet into the lake, with the idea that the waves will wash the silt and gravel in upon these docks, or wharfs, or groynes, and in that way accumulate or build up more land, instead of constantly washing it away. The hon. gentleman has been in a position to expend government money for the purpose of protecting this shore. So far, he has declined to do anything, and I am afraid that if we wait too long the destruction may reach very great proportions. The municipal council of the county of Halton has already taken the matter up and has built one of these groynes out into the lake, 75 or 100 feet, and I believe it is having very good effect in preventing further washing away, in fact, it is perceptible already that new land is going to form and that the destruction of property will be arrested. Nor is that an uncommon thing. I am informed that farmers along the shore, in order to protect their land, are building little wharfs as they see the need of them. They build a crib and fill it with stones—a very simple matter, but it has the desired effect. Now, it is going to be a very serious problem for these people if they have to run down to Ottawa and get the consent of the Governor in Council before they are permitted to build a little crib filled with stone for the protection of their own land. The government will not do anything for them, and here the hon. minister passes a Bill to make it as troublesome as possible for them to protect themselves. I think the Bill is a mistake, that the law was well enough before. The broadening of the law as proposed by the hon. minister is only going to cause additional trouble to the people who desire to protect themselves, and whom the government does not seem willing to protect. I think it is a pity that the wording should have been broadened, and I hope the minister will revise the Bill and put the law back just about where it was. I am sure the minister does not wish unnecessarily to injure property or to prevent people from protecting their property. He may have in view wider cases and larger circumstances and may not have thought of these apparently small matters, though matters of very much importance to the men to whom I refer.

Mr. PUGSLEY. I am sure no difficulty or hardship will arise in the case to which the hon. member (Mr. Henderson) refers. The matter of throwing out groynes to protect the shore is a matter in which no minister would interfere, unless it were found, in some way, to cause an interference with navigation. When this Bill was before the House on a former occasion, the

hon. member for East Hamilton (Mr. Barker) and I discussed it across the table. The difficulty is to put in an amendment making exceptions. I am sure the matter can be well left to the good judgment of the engineering department of the government, and to the minister from time to time. There will be no disposition whatever to interfere with works of the character to which the hon. member refers. But it is important that the construction of wharfs should be as much under the control of the Public Works Department as the construction of bridges. The proceeding will be a simple one. In cases in which the work is at all extensive, it ought to be submitted to the department. To such small works as the hon. member refers, there will be no objection on the part of any reasonable minister, or of any officer of common sense

Mr. J. HAGGART. But suppose a party, say, on the St. Lawrence, or on any of the lakes, erect a wharf without coming down to Ottawa for the purpose of having it approved—a wharf for a little island cottage, for which, of course, it would not be worth while to make an application—what control would the party who built it have over it under this Act? He would have no right to erect it, and any person would have the right to tie up to it or even to remove it if necessary. The builder of it might even be liable to indictment at the instance of any person who had a grievance against him. The difficulty is the annoyance to which people might be subject. Of course, the case of building a bridge over the Saskatchewan is a different matter. They had no right to build such a bridge without getting the authority of the Public Works Department. The same would apply to the erection of any work of sufficient importance at the mouth of the St. Lawrence, or at any other of a hundred other places in Canada. But the application of the principle to everything in the shape of a wharf, is objectionable.

Mr. PUGSLEY. Let me illustrate the point I wish to make by citing a case which came under my own personal observation. Some years ago in the province of New Brunswick, the provincial government erected a bridge across the St. John river, and put a draw in it which, they contended, was sufficient for the purposes of navigation. The premier and attorney general at that time, Mr. Blair, said that, as the bridge did not interefere with navigation, he would not go to the authorities at Ottawa but would build the work according to plans satisfactory to himself and his government. But I say that, in the general interests of the country, the local authorities ought not to control such matters. The Governor in Council should be the judge, and the Department of Public Works should be the advisers. As to the small wharfs that have been referred to, I am not quite sure what their position is now. The soil under navigable waters, in most cases, belongs to the federal or the provincial government. Therefore, if a man builds a wharf in navigable waters, even in front of his own property, he is trespassing upon somebody, he is doing an act which is unlawful, either against the Dominion government or against the provincial government. This applies to ninety-nine cases out of a hundred.

Mr. J. HAGGART. Would these wharfs be liable to common usage by the general public, not having the authority of the Crown?

Mr. PUGSLEY. No more than they are now.

Mr. J. HAGGART. They may be now.

Mr. PUGSLEY. Yes, they may be, it is difficult to say. Many wharfs have been built in navigable waters illegally. I really do not think there will be any practical inconvenience or injury from this Bill.

Mr. R. L. BORDEN. The minister is departing from the terms of the statute in force for many years. The statute originally provided that:

No bridge, boom, dam or aboiteau shall be constructed so as to interfere with navigation, unless the site thereof has been approved by the Governor in Council, nor unless such bridge, boom, dam or aboiteau is built and maintained in accordance with plans approved by the Governor in Council.

The minister proposes to substitute a provision that:

No bridge, boom, dam, aboiteau, wharf, dock, pier, or other structure of any kind, shall be built or placed in or across any navigable water, unless the site thereof has been approved by the Governor in Council, nor unless such bridge, boom, dam, aboiteau, wharf, dock, pier or other structure is built and maintained in accordance with plans approved by the Governor in Council.

I do not know whether the term 'navigable water' has been defined in the statutes or not?

Mr. PUGSLEY. No, it is the first time.

Mr. R. L. BORDEN. There might be some difficulty in giving that word an exact application. We know what the words 'navigable water' mean in Great Britain, there have been many cases defining the expression there, but on this continent the expression has varied from time to time according to the particular conditions of the locality, and the particular purpose for which it is proposed to use the water. For example a river may be navigable for one purpose, and absolutely unnavigable for another. I do not know whether the ex-

pression 'navigable water' would have the same meaning in every province in Canada. It is not defined in the statute. I suppose it must be left to the determination of the courts in each province, and I would think some difficulty might arise. Apart from this statute altogether in the case alluded to by the Minister of Public Works there would be no right to build a wharf or any other structure so as to interfere with navigation, and even if the person building that wharf absolutely owned the soil by virtue of a grant from the Crown that would not entitle him to build a wharf upon it. In the harbour at Halifax that very question arose twenty-five years ago in the case of Essen vs. Wood. There was a grant from the Crown in the right of the province to one of the citizens of Halifax of certain lands below high water mark. That citizen extended his wharf so as to cover that land. An adjoining wharf proprietor went with a force of men, pulled up the piles and destroyed the wharf. An action was brought, and it was contended that such person was justified in destroying the wharf, because although the person building the wharf had a title from the Crown to the land in question, that person was not entitled to use the land in such a way as to interfere with the right of navigation which was common to all subjects of His Majesty. An appeal to the Supreme Court of Canada brought a decision that by reason of the fact that the wharf so constructed was an interference with navigation, the person destroying the wharf was justified. The ground of that decision was that the Crown in the absence of legislative sanction has no right to authorize any man to interfere with navigation. An Act of parliament is necessary for that purpose. Thus the statute with which the minister is dealing is in one sense an enabling Act and not a restricting Act.

Mr. PUGSLEY. Hear, hear.

Mr. R. L. BORDEN. I suppose we can consider all these matters when we get into committee, but I would invite the minister's special attention to his use of that expression 'navigable water,' because I am inclined to think some confusion might arise in different provinces from the use of that expression unless it is defined.

Motion agreed to, and House went into committee on the Bill.

On section 1,

Mr. PUGSLEY. I would call the attention of the committee, and especially of the leader of the opposition whose remarks on the subject are very valuable, especially when he speaks of this Act being an enabling Act, rather than a restricting Act, to the wording of the Railway Act. The Railway Act speaks particularly of a railway crossing a navigable river, and requires that application shall be made to the Board of Railway Commissioners, as well as to the Minister of Public Works. In that case I do not know that there has been any definition of the words 'navigable water'.

Mr. R. L. BORDEN. It would be rather difficult to frame a definition.

Mr. PUGSLEY. Very. Of course there is a difference between what would be called a floatable stream, and a navigable stream. A floatable stream, down which logs could be floated, would not be considered a navigable water. The courts of New Brunswick have decided that such a floatable stream is a public highway for the floating of logs, but not a navigable water, as it would be construed under this Act. Section 233 of the Railway Act provides:

When the company is desirous of constructing any wharf, bridge, tunnel, pier or other structure or work——

These words are about as broad as the words of the Bill I am asking the committee to consider.

——in, upon, over, under, through, or across any navigable water or canal, or upon the beach, bed or lands covered with the waters thereof, the company shall, before the commencement of any such work,—

(a) in the case of navigable water, not a canal, submit to the Minister of Public Works, and in the case of a canal to the minister, for approval by the Governor in Council, a plan and description of the proposed site for such work, and a general plan of the work to be constructed, to the satisfaction of such minister.

Now, in effect I am asking in regard to all navigable waters that practically the same law may be enacted as section 233 of the Railway Act enacts so far as similar works constructed by a railway company are concerned. The leader of the opposition (Mr. R. L. Borden) very truly says that this is an enabling Act, rather than a restricting Act; it is enabling the Minister of Public Works, or the Governor in Council to make legal the erection of wharfs and other works in navigable waters. I have a case in point. A person in British Columbia erected a wharf in navigable water, and some question arose as to the legality of the structure. He applied to my department for approval, but I was obliged to say: No, I cannot approve of it, because you should have come before you undertook the construction of the work; the statute is limited to that; I cannot approve of a work already constructed, the Act says in a later section: Approval of the proposed work. The gentleman was very much astonished, and ag-

grieved that he could not get this wharf approved of.

Mr. J. HAGGART. There is no remedy under this Act for him.

Mr. PUGSLEY. No, I do not intend to change that. That will be found in section 7, which says:

> The local authority, company or person proposing to construct any work in navigable waters, for which no sufficient sanction otherwise exists, may deposit the plans thereof and a description of the proposed site with the Minister of Public Works, and a duplicate of each in the office of the registrar of deeds for the district, county or province in which such work is proposed to be constructed, and may apply to the Governor in Council for approval thereof.

You will see it is limited to work to be done in future and, therefore, under this section, I felt that I could not approve of a work already constructed. No doubt the effect of the statute would be that when a wharf was once approved of, it would become legal, whereas, otherwise, it would be illegal.

Mr. J. HAGGART. Does the minister think he has no jurisdiction at all on navigable rivers at the present time as to what character of wharf, bridge or anything else may be constructed thereon?

Mr. PUGSLEY. That is a pretty large question. By the British North America Act the parliament of Canada is given control over navigation. I would think that probably the minister could apply to the Minister of Justice and have an injunction issued to prevent interference with navigation but that might lead to litigation. I think it very desirable to have some defined plan of operation laid down by statute, which persons would be obliged to follow, so that every man, when he was proposing to erect a structure in a navigable water, would know what he had to do, and if he got the approval of the Governor General in Council he could proceed and no individual could afterwards complain that his structure hindered navigation and was therefore illegal.

Mr. R. L. BORDEN. I do think that the expression 'in navigable waters' perhaps might work out in the way suggested by my hon. friend from Halton (Mr. Henderson). If you provide that these structures shall not be built or placed in such a way as to interfere with navigation, that is one thing, but if you provide absolutely that they shall not be constructed in navigable waters, that is another thing. They might be constructed in navigable waters in such a way that they could not possibly interfere with navigation. Some of the illustrations given already would serve as examples of that. A man, for instance, might be protecting his own property. He might be obliged to build a structure for the protection of his property in navigable waters.

Mr. PUGSLEY. Who should be the judge of whether it does interfere with navigation or not? Suppose it is not navigable water should not the Governor General in Council be the judge of that?

Mr. R. L. BORDEN. The remedy is a very plain one. If any man builds a structure so as to interfere with navigation without statutory authority enabling him to do so, any one coming along, whose right to navigate is so interfered with, can tear it down and destroy it. It is a public nuisance. Therefore, it seems to me there is absolute protection in that regard. But, if a man places a structure for the protection of his own land in such a way as not to interfere with navigation he harms no one, and he is not put to the trouble and expense of seeking from the Minister of Public Works an authority which under the premises is not at all necessary in the public interest.

Mr. PUGSLEY. What is an interference with navigation? Suppose, as in the case to which the hon. member for Halton (Mr. Henderson) referred, a man builds out into a navigable water for 100 feet from his own shore another man comes along with a row boat or a tug boat and says: I want to navigate the water where that pier is—is not that an interference with navigation?

Mr. R. L. BORDEN. Yes, and he would tear it down.

Mr. PUGSLEY. Is that desirable? Should there not be some authority which should settle these things?

Mr. J. A. CURRIE. I understand that the federal government has set up a claim that the Horseshoe Falls at Niagara is a navigable water. Does this Act pretend to set up the claim that every water-fall where a dam can be built, or where a water-power can be developed, comes under the jurisdiction of this government?

Mr. PUGSLEY. This is limited to navigable waters. I do not know whether the place to which my hon. friend refers is navigable or not. I rather understand that it is not navigable.

Mr. J. A. CURRIE. I think the minister should state in the Bill what the term 'navigable water' means. The hon. member for Thunder Bay and Rainy River (Mr. Conmee) claims that the falls on the Nipigon and Pigeon rivers are navigable. They are navigable only for a Peterborough canoe drawing perhaps three inches of water. If that constitutes navigable water

it will give this parliament complete jurisdiction over all such streams in every province of the Dominion. To make it move effective this clause covers all the water-powers that are supposed to be under the jurisdiction of the provinces. The Bill says:

No bridge, boom, dam, aboiteau, wharf, dock, pier, or other structure of any kind, shall be built or placed in or across any navigable water, unless the site thereof has been approved by the Governor in Council, nor unless such bridge, boom, dam, aboiteau, wharf, dock, pier or other structure is built and maintained in accordance with plans approved by the Governor in Council.

Not only the actual work but the site of the work must be approved of by this government. That places the site of every power in every province in the hands of the Dominion. I am not prepared to go quite that far, and I would like the minister, before this Bill passes, to make it clear that there is no intention to interfere with the rights of the various provinces in their own water-powers. For instance, the province of Ontario has passed an Act whereby every power of 100 horsepower, but I understand it is 100 horsepower—in the province of Ontario, it does not matter who is the owner of the land, or what the navigation of the stream is, or whether that power is developed by a company or any individual, is subject to the right of the province, in which the franchise is vested and which charges 50 cents per horse-power per annum. I would like to be satisfied that the Bill does not take away or interfere with the rights of any of the provinces in their own water-powers, their rights in their water-powers being as well established as their rights in their lands, forests or minerals.

Mr. PUGSLEY. This Bill is intended only to interfere with the navigable waters.

Mr. J. A. CURRIE. What constitutes a navigable water?

Mr. PUGSLEY. I think that there is no question but what the term 'navigable water' would mean a water which could be navigated by fair-sized boats—such boats as would carry traffic, freight and passengers. A stream which would float a canoe or a log might be floatable, but it would not be navigable. I would have no objection, if any hon. gentleman thinks he can give a definition of navigable waters which would be better than the definition which the court has made, to our defining what 'navigable water' means. I do not know that it has been defined by statute in Canada, although the courts have defined it as a body of water which can be navigated by sailing vessels or steam boats. I think that a stream through which a rowboat could pass should not be regarded as a navigable river within the meaning of a statute of this character.

Mr. BARNARD. Does subsection (b) of section 13 of chapter 115 throw a little light on this question of what is or what is not a navigable stream in its definition of the word 'vessel'? For the purpose of the Act, the word 'vessel' is defined as being 'any description of ship, boat or craft of any kind whether propelled by steam or otherwise.'

Mr. PUGSLEY. That is contained in the part of the chapter relating to the Marine Department.

Mr. BARNARD. Precisely. But when they define waters which are navigable, as the waters mentioned in that Act, does not the minister think that a court would seize on that subsection for a correct interpretation of the word 'navigable'?

Mr. PUGSLEY. I would hardly think so.

Mr. ARTHURS. There should be some definite description of what navigable waters mean before this clause is passed. There is an Ontario Act providing that in the unorganized districts of the province there shall be 66 feet reserved on each side of any navigable water, and it has been decided that any water that floats a canoe is navigable water under that definition.

Mr. PUGSLEY. Has that been decided by the courts in Ontario?

Mr. J. A. CURRIE. My hon. friend (Mr. Arthurs) refers to the Rivers and Streams Bill. It would be well to put in an interpretation clause stating what under this Act would be construed as navigable water. For instance, as far as the purposes of the Dominion are concerned, I should consider that if a stream entered into provincial rivers or international waters any part of that river from its mouth would be navigable as far up as navigation could be had without obstacle. But the ramifications of this Act are so extensive that it would cover that stream to its source. We have had it held in this House by a gentleman who is very much interested in these power Bills that any stream at all which empties into international or interprovincial waters is a navigable stream to its source for the purposes of this Act, and that the Dominion has complete control over any river or stream tributary to any of the great lakes or the River St. Lawrence. We would save a great deal of trouble in the future if we define in this Act what a navigable river is. I have no doubt the intention is to prevent an obstruction being put in a navigable river, such for example, as the Kaministiquia at Fort William, without the consent of the government. I should think that a river, or that part of it affected, should be taken over by procla-

mation before it could be considered as under the jurisdiction of the Dominion. We all know there has been a decision of the courts in the question of the ownership of streams in the province of Ontario under the old River and Streams Bill.

Mr. PUGSLEY. Would my hon. friend send me a memo as to where I can find that case?

Mr. J. A. CURRIE. It is a famous case which was fought through to the Privy Council by Sir Oliver Mowat, and I think it had reference to a large branch of the Ottawa river.

Mr. FIELDING. It is the Caldwell and Maclaren case.

Mr. PUGSLEY. I understand the hon. gentleman to say that it had been decided by the courts that a navigable river was a river along which any kind of a vessel, even a row boat or a canoe could be propelled. I do not see how that question could arise in the Caldwell-McLaren case.

Mr. ARTHURS. It was I who made the statement that the Ontario government had raised such a contention, and I said that there was an Ontario Act under which one chain perpendicular width was reserved along all navigable streams. The provincial government has interpreted this to mean any streams which are at all navigable.

Mr. PUGSLEY. I understood the hon gentleman to say that it has been so interpreted by the courts.

Mr. ARTHURS. No, but the Ontario government issues their patents with this reservation regarding all these small streams.

Mr. PUGSLEY. I can assure the committee that my whole desire is to limit this to what are in reality navigable waters, and hon. gentlemen will see how desirable it is that there should be federal control over the structures which are to be built therein. I am not prepared to say whether it would be possible to define navigable waters for the purposes of this Act, but I would be glad to receive any suggestions from any hon. gentleman as to a proper definition.

Mr. J. A. CURRIE. The Muskoka lakes empty into the Georgian bay by the Muskoka or Moon river. These lakes are virtually in two sections, and there is a lock built between Rosseau and Muskoka lakes with a fall of 4 or 5 feet, and that lock is maintained by the province. A line of steamers plies up and down the lakes. At the lower end of the lake there is a dam maintained by the Ontario government so as to keep the lakes at a special level, and the total length of navigation on these lakes must be 80 or 90 miles. Under this Bill the control over these waters would apparently be taken over by the Dominion. The same is true of the Maganatawan; there are 15 or 20 miles of navigation from the mouth, then rapids for 25 miles, then another long stretch of navigation on that river. The same conditions are to be found on the Nipigon and on the Columbia and Kootenay rivers in the west. The minister should endeavour to find some definition which would end this continual friction with the provinces, and which would clearly distinguish the rights of the Dominion and of the provinces in these navigable waters. The time of parliament has been wasted a great deal with these continuous disputes, and they are not in the interest of the provinces or to the credit of the Dominion. I should hope that no one in this parliament would want to infringe on the rights of the provinces.

Mr. PUGSLEY. This simply deals with the control of navigation and does not touch the rights of any province.

Mr. ARTHURS. In the riding I represent the tourists have wharfs almost at every island on these lakes, and under this Bill these gentlemen would have to send down a plan or specification of each small wharf to the government. I do not think that is the intention of the minister, and I think some provision should be put in the Bill which would eliminate that difficulty. It seems to me to be manifestly unfair.

Mr. G. V. WHITE (North Renfrew). I have here a petition, which reads as follows:

To the Honourable William Pugsley, Minister of Public Works, Ottawa.

The petition of the undersigned residents of the town of Pembroke, in the county of Renfrew, respectfully showeth as follows:—

1. The Petawawa river flows into the south side of the Ottawa river about ten miles west of the town of Pembroke, and for a distance of about one-third of a mile from its mouth, along its easterly bank, there have been for several years past, and are still, several summer cottages and camping sites, owned by the said residents, who occupy the same during the months of July and August each year for summer recreation, boating, fishing, &c., and very considerable moneys have been expended in buildings and improvements and in beautifying the same.

2. Extensive lumbering operations are carried on upon the Petawawa river, and every year large quantities of logs and lumber are floated down to the mouth, and thence down along the southerly shore of the Ottawa for some further out distance, where they are put into booms to be towed away by the steamers, and these operations continue during the whole of July and August each year, and so completely block up both said rivers at these points that it is quite impossible for

your petitioners, during the said months to enjoy or have any proper ingress or egress in small boats to or from either of the said rivers to or from their said cottages.

3. Your petitioners have repeatedly complained to the lumbermen or their representatives of the grievance above mentioned, but without any avail, as the grievance has not only continued, but has grown, during the past two or three years, to be intolerable, and unless the government will come to the redress of said grievance, the property of your petitioners will become so impaired as to be practically valueless.

4. A system of piers and booms has always been maintained at the said places to facilitate the said operations, but it has been so kept up and maintained in the interests solely of the said operations and without the slightest regard to the interests or convenience of your petitioners.

Your petitioners therefore respectfully pray that steps may at once be taken by the government to remedy or remove the said grievance by having proper gaps or openings made and kept up, through which your petitioners and their friends and visitors may be able at all times during the said months to have suitable and convenient ingress and egress to and from both said rivers to and from their said cottages and camps.

And your petitioners, as in duty bound, will ever respectfully pray, &c.

Dated at Pembroke this 7th March, 1910.

This petition is signed by some seventeen property owners in that district. I know the conditions personally, and they are as set out in this petition, and I would like to know from the hon. minister if this Act would apply in this case.

Mr. PUGSLEY. Yes, if this Act had been enforced, it would in the ordinary course of events have prevented the very difficulty to which my hon. friend has referred. The petition which he has read shows the necessity of having some oversight over these navigable waters, so that persons, before erecting any structure, would know that it was their duty under the law to come to the Minister of Public Works and submit plans for the structure, so that they could be inquired into by the engineers, and if they showed no interference with navigation, they would be approved of. The difficulty to which my hon. friend refers would, I think, be obviated if this Act were in force.

Mr. G. V. WHITE. I may inform the hon. minister that most of the present property owners have bought their lands within the last ten or twelve years, and these lumbering operations have been going on for a good many years. I would be glad if this grievance could be remedied in some way. All that these petitioners ask is that a gap be made in the booms whereby they could have ingress and egress to and from their cottages along the shore.

Mr. PUGSLEY. If my hon. friend will be good enough to write me a letter on the subject, I will give directions to have it looked into.

Mr. R. L. BORDEN. I do not think that this Bill would remedy the grievance, if 'navigable waters' is to have the definition the minister gave a little while ago.

Mr. G. V. WHITE. These booms are on the Ottawa river, which is navigable. The logs come down the Petawawa river, and the cottages are right at the mouth of that river on the Ottawa river.

Mr. PUGSLEY. The difficulty in the past has been that there has not been enough attention paid to the right of the public to navigation. Men have erected booms, bridges, wharfs and piers, in many cases without the slightest regard to the public interest. In the very case my hon. friend from North Renfrew has referred to, lumbermen built booms and dams in the river knowing that the riparian owners had a right to navigation. We find the same thing all over the country. There is nothing in this country that we ought to guard more sacredly, in the interests of future generations, than the freedom of navigation, and parliament ought not to be afraid to entrust the matter to the engineering staff of the department and the Governor in Council, which of course would only act reasonably upon the reports the engineers would make.

Mr. J. A. CURRIE. So far as I am concerned, with my knowledge of the facts, I cannot consent to this Act passing in its present form without a protest. The hon. minister cannot show the House a single complaint or petition to his department from any person in any province of the Dominion asking him to take the absolute control of all navigable waters. The old Act read that as long as the bridge, boom, dam, pier or other structure did not interfere with navigation, it could be built. The minister goes far afield and provides that nothing can be built on any navigable water without the approval of the Governor in Council. I will warrant that there are two thousand small wharfs on the Muskoka lakes, built by private individuals, costing anywhere from $25 to $1,000. The same thing exists all over the country. Are these people to be compelled to come and get the consent of the Public Works Department and to file plans made by an expensive engineer and costing more than they are worth, although very often these structures are miles away from any interference with navigation? The very stream the hon. member for North Renfrew speaks of is under the jurisdiction of the province of Ontario. There are streams where the province has given boom companies the rights to build booms and sluices and carry on their works. There are millions of dollars invested in these boom companies in the province of Ontario, as I have no doubt

there are in Quebec and other provinces. The hon. minister proposes to lord it over all these investments and to the men who have built extensive booms in accordance with the regulations laid down by the province. He steps up with a great club and says, we have taken these under our control and protection. The great awakening for the protection of the navigable waters of the country has taken place first in the provinces, and the work cannot be done as successfully at Ottawa as it can nearer home. A man in British Columbia would have to come to Ottawa to get the permission of the Department of Public Works to build a $35 dock.

Therefore I think the minister should modify it, and leave the clause just as it was before. If the minister can show this House any documentary proof of need, or any petition asking him to pass this Act, then I would be willing to stand aside. But there has been no public petition presented for it in the House. The hon. member for North Renfrew (Mr. White) has a petition, but he will find that the Ontario law covers his case. They can compel any company that is booming logs to leave a gap for vessels. All that is required is that somebody should call the attention of the government to any obstruction that may exist, but they have gone to the wrong quarter. I think the minister in that Bill is endeavouring to take away the rights of the provinces. I do not hesitate to say that to my mind it is one of the most vicious attacks on provincial rights that has been made in any Bill that has been brought before this House for a long time. Whilst he may say that he can do this, that, or the other thing, the fact remains that those who are looking for those powers and approvals can already go to the provinces, and now he wants to give them power to come here, and thus keep this House in a turmoil for weeks. I think for the sake of peace it would be in the interest of the public that the old clause should remain as it is, and that before any such drastic change as this is made, the provinces should be notified that it is the intention of the federal government to take charge of all these dams, booms and sluiceways. The provinces have officers of their own appointed to look after these things, and they are paid for it, and they are doing their work satisfactorily. The minister intends to have a double jurisdiction. I think the Act is highly objectionable.

Mr. R. L. BORDEN. There is another thing I would like to bring to the attention of the minister. In the province of Nova Scotia, for example, all along the shores of the coves, and small harbours, fishermen living on these shores have in many cases a little wharf or jetty; and the lobster factories along the coast usually have something of the same kind to enable the lobster fishermen to bring in their catch, and land it at the factory. It seems to me that under the provisions of this statute every one of those fishermen would be required to file plans for every little wharf or jetty that he builds in connection with his occupation. No doubt the minister does not intend anything of the kind, but I think that will be the effect of it. As has already been suggested, it seems to me that the mischief he seeks to prevent could be avoided by using the expression which is to be found in the former statute, and for the reason very forcibly pointed out by my hon. friend from North Simcoe (Mr. Currie). If, for example, he would add after the words 'navigable water,' the words which are found in the present statute, 'so as to interfere with navigation,' would not that be quite sufficient to prevent the mischief which is sought to be prevented? I think it would. I think it would be dangerous to depart from the expression which has been found fairly sufficient to safeguard the public interest in the past.

Mr. PUGSLEY. The only object is to make the law in regard to all navigable waters the same as it has been for nearly forty years with regard to the Ottawa river. There has never been any serious difficulty I ever heard of on the Ottawa river as to the law being oppressive upon riparian owners. My hon. friend from Simcoe (Mr. Currie) rather speaks as if this Bill is proposing to invade provincial rights, because we propose to take more control over navigation. Well, it is not this parliament that is now proposing to do that, because the British North America Act has already given to this parliament control over navigation.

Mr. J. A. CURRIE. I said navigable waters, not navigation.

Mr. PUGSLEY. Navigation usually takes place in navigable waters.

Mr. J. A. CURRIE. There may be no navigation in navigable waters.

Mr. PUGSLEY. Wherever a water is capable of navigation, I think it is our duty to preserve the right of navigation upon it for the people of the country, for the benefit of transportation interests.

Mr. R. L. BORDEN. I suppose the point is that a navigable water should be capable of being used by the owner in such a way as would not interfere with navigation.

Mr. PUGSLEY. Then the question is what authority should judge as to whether it interferes with navigation or not. The hon. member for Simcoe says that the provincial authorities in Ontario have given permission for the erection of booms, and

other structures in navigable waters. Well, they talk about encroaching on provincial rights, I say that if they have done that they have encroached in the most flagrant manner upon the rights of the Dominion parliament, because this parliament is the only authority that can give a right to erect structures on navigable waters, that power is absolutely, by the British North America Act, vested in this parliament. Now I desire, as I am sure hon. gentlemen opposite desire, that the Bill should be made as workable as possible. I am disposed to consider the suggestion which the leader of the opposition has made. I do not know whether the Bill will fairly accomplish the desire which I have to preserve navigation, by putting in the clause he suggested, but I will be glad to consider it. I do not think this is a matter which could be determined off-hand; therefore I would move that the committee report progress, and the matter can be reconsidered before we resume consideration of the Bill in committee.

Mr. J. A. CURRIE. The hon. minister need not go away with the impression that I was endeavouring unduly to oppose this Bill. I wish to point out the difference between this Act and the old Act. Under the old Act, if any one put an obstruction in a navigable water that interfered with navigation, a complaint could be made to this government, and the parties could be compelled to remove the obstruction. I think that is only fair and just, and that is a right given to this parliament under the British North America Act. But to go wider afield, and to say that nothing can be placed in a navigable water without getting permission from this parliament, is quite another thing. Very often the ownership of the land under that water is vested in individuals, individuals have riparian rights, and the right of the owners of the lots extends out into the water; and to say that they cannot put a small dock in there although it may be twenty miles away from navigation, to say that a small fisherman in New Brunswick must come here, and pay $40 or $50, and deposit plans before he can put a twenty foot dock on piles at which to land his boat, or that the owner of a summer cottage in Muskoka who wants to put a little wharf on the edge of the lake where he can embark in his motor boat, must come down here and file plans, and the same all along the St. Lawrence river and every other inland water,—why the hon. gentleman would have to have a staff of 400 or 500 men to look after all these matters. For that reason I say the clause is absurd. The only right that is given to this parliament under the British North America Act is the right to prevent any interference with navigation, but that does not mean that this parliament has the right to take control of all rivers streams, and lakes in the country, as this Bill proposes to give them.

Mr. G. V. WHITE. I presume that this Bill would cover government docks which, in their present position, are somewhat of a menace to navigation. I have in mind particularly the dock at Petawawa. This case I have brought to the attention of the House on several occasions. The minister will remember that I wrote him last fall with reference to this dock, stating that the passenger steamer on the Ottawa river, plying between Pembroke and a point forty-five miles west, was almost stranded on a sand-bar quite near the dock. It seems that the dock has not been built in the proper place or that, in any case, the river should have been dredged at the dock. I have here a letter in reply to the one which I wrote to the minister:

Department of Public Works,
Ottawa, November 2, 1909.

Gerald V. White, Esq., M.P.,
Pembroke, Ontario.

Sir,—With reference to your letter of the 3rd September last, re dredging required at Petawawa wharf, I beg to state that an engineer of the department has been sent to Petawawa, and he held the matter in abeyance until he could make a survey which, he reports, cannot be done for some time.

From discussions which our engineer had with Captains Murphy and Tessier, masters of the passenger steamer 'Victoria,' the local slide master and personal inspection, that officer states that the sand-bar below the dock will require scraping next year at low water, the water this year being too high for scraper work. There is no dredge at present on these waters to attend to the dredging required.

I have the honour to be, Sir,
Your obedient servant,
NAPOLEON TESSIER,
Secretary.

Now, I think this is an urgent matter. On several occasions, the steamer 'Victoria' has been stranded on this sand-bar, endangering the life of passengers on board. It seems to me, therefore, a matter of this kind should receive the attention of the department. I do not see what reason there will be to wait until some time next August, when the water is low, to attend to the matter, for this steamer starts running as soon as navigation opens, and runs during the whole season.

Mr. PUGSLEY. How far is the Petawawa wharf from Ottawa?

Mr. G. V. WHITE. It is about ten miles above Pembroke, which would make it about 110 or 115 miles from Ottawa.

Mr. PUGSLEY. I suppose that we are in the same position this year as we were last year in regard to a dredge in that locality. I will make inquiries.

Mr. G. V. WHITE. I would like to have something done, for this is certainly a very dangerous spot.

Mr. THOBURN. I am very much interested in this Bill from the fact that, during the last session of the Ontario parliament, a company of which I am a member, applied to that parliament for authority to build some dams on the Mississippi river for the purpose of conserving the water. In years gone by, the lumbermen had the privilege of erecting dams at the mouth of certain lakes for this purpose. These dams have all disappeared, but the manufacturers in the different towns affected have formed a company for the purpose of building dams where the old wooden dams used to be. It is the intention of the new company to build cement dams. We had a Bill passed through the Ontario legislature at its last session to give us the power to build these dams. The question is, if the Bill now before us passes, how will it affect this company? As to this being a navigable stream, that is the question I would like to have defined. There are, on certain stretches of the river, small steamers, but I do not know that they go as far as where we propose to build dams. And there may be such vessels as gasoline launches or boats of that description plying on these waters. But, if we go to the expense of building these dams, and the question arises whether this is or is not navigable water, it may involve a heavy loss. This we would like to know before we go to the enormous expense involved in these works.

Mr. MACDONELL. What is involved in the power proposed to be given under this Bill to 'remove or destroy all structures' anywhere on navigable waters? Is it the idea or intention, for the future, to prevent the erection of any dam, wharf or pier, on navigable waters of any kind? As the minister probably is well aware, a great number of water lots largely throughout the province of Ontario, have been granted to private parties during the last fifty or one hundred years, so that practically the greater part of the foreshores of our lakes have been thus granted. For instance, in Toronto water lots were granted by the Crown many years ago, extending 600 feet out into the water. These lots are now owned by private persons. In many cases the owners have built wharfs, boat-houses and other structures out toward the 600-foot limit—this limit, in many cases, extending far out into navigable waters. These lots have always been regarded by the owners as their private property, just as much so as a piece of land in the city. The whole water-front of Toronto is built on water-lots originally granted by the Crown. They are filling in water-lots to-

day, extending the harbour out into the bay, and are building piers on what is supposed to be private property, believing that they have as much right to do so as a man would have to build a house on a city lot. The land is covered by water, but the owners have the exclusive right from the Crown and have so treated it at all times. As I read the Bill it would certainly empower the government—if the Bill is intra vires—to remove any or all of these erections on these lots and to prevent in the future the erection of anything upon these water-lots on which there is navigable water. The whole measure is a very important one, a very serious one, and a very far reaching one, and I would ask if it is the intention of the government deliberately to extend the scope of the Act as far as I have indicated.

Mr. PUGSLEY. The only intention of the Act, as is apparent on its face, is to give to the Department of Public Works and the Governor in Council a control over the erection of structures in navigable waters. My hon. friend speaks of there being hundreds of wharfs built out into the navigable waters in localities with which he is familiar, and he asks if it is the intention of this Bill to have these removed. I say, no. This Bill will not be retrospective in its operation, but will only deal with the future, and it is important that persons who propose erecting structures in navigable waters shall come to the department for approval. My hon. friend knows, as a lawyer, that if any man, whether he come in a small boat or a tug boat along the water and strikes one of these wharfs and finds his progress impeded, he can go to a court and compel the removal of that wharf as being an obstruction to navigation, because it is illegal. A man may own the soil under the water, but he has no right to build out a structure into the water which in any way interferes with the right of every one of His Majesty's subjects to go wherever he likes in a row-boat, a motor boat or a steamboat, and any wharf built without legal authority in a navigable water is in that sense a hindrance to navigation and therefore illegal.

This Act, as the leader of the opposition (Mr. R. L. Borden) has said, is an enabling Act, and it enables the Governor in Council to approve of these structures. The only effect it has, and it is a very important effect as far as the public interest is concerned, is to keep a control over the structures, to regulate their building and to determine where they shall be placed. We cannot protect the interest of navigation and provide for the future interests of the people in that regard unless we have some control over the places where these works shall be constructed and over the manner in which they shall be constructed. That is the sole object of the Bill, and it

does seem to me there can be no objection to it. We do not desire to encroach on provincial rights or to interfere with water-powers, but only to secure the right to discharge the duty which under the British North America Act is imposed on this government and which this government ought, in the interest of the public, to discharge as well as it can. My object in suggesting that progress should be reported was that I should give careful consideration to the suggestion of the hon. gentleman (Mr. R. L. Borden) as to making some amendment which would prevent the possibility—although I do not think it is a possibility which ought to be seriously considered—of the Act in any instance working with any degree of harshness. I would be glad to consider the suggestion, and if it is possible to make an amendment which would meet my hon. friend's view without impairing the efficiency of the Act and preventing it attaining the object in view, I would be glad to suggest to the committee that the amendment should be made.

Mr. ARTHURS. Section 7 of the existing Act reads:

> Such local authority, company or person shall give one month's notice of the said deposit of plans and application by advertisement in the 'Canada Gazette,' and in two newspapers published in or near the locality where such work is to be constructed.

This would work very harshly as regards summer tourists and the erection of small wharfs.

Mr. PUGSLEY. That section might be amended to provide that no advertisement need be published unless the minister should think it in the public interest. I would be glad to consider any suggested amendment of that kind.

Mr. MACDONELL. The minister is right and wrong in part. I am not quarrelling with his Bill, I think it is highly desirable that people should not be allowed to impede navigation as they are now doing by erecting structures along lake and river fronts. It is quite true, as he points out, that in many cases grants from the Crown of these water lots are subject to the rights of navigation through the waters upon these lands, and in so far as those grants are concerned, legislation of this nature would be applicable. It should properly apply to grants originally made in which the rights of navigation were preserved and protected. In those cases, it would be quite right that the government should wish to regulate navigation, and the grant of land from the Crown being subject to that right, to pass an Act providing some machinery for enforcing that right. But, on the other hand, as the minister will recall, a large amount of our water front, in cities particularly, has been granted without rights of navigation, and in many cases for acres or even miles, the foreshore and navigable water has been filled in to form solid docks and piers, where no right of navigation was reserved. When the Bill comes to be considered in detail, it might be well to consider those cases, so that a proper distinction might be made between the supervision over cases in which the rights of navigation were reserved and cases where the grants were made not subject to that provision.

Mr. PUGSLEY. That is worth considering.

Progress reported.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

House again in committee on Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company, Limited.—Mr. Pardee.

On section 1, incorporation.

Mr. HUGHES. Since this Bill was last before the House a good deal of interest has been manifested in it, and a good deal of research has been indulged in by members, I presume, on both sides of the House. Owing to the very conflicting nature of this Bill in connection with the St. Lawrence Power Company's Bill passed in 1901, I may say that it is the wish of of a great many hon. members on this side of the House that a little further time should be had to look into the legal bearing of one Bill upon the other so that the whole aspect of the case may be placed in view. I had hoped that my hon. friend the leader of the opposition (Mr. R. L. Borden) would have been here, but in the absence of that hon. gentleman I think I voice the wishes of hon. gentlemen on this side of the House in asking that this Bill should stand over until next Monday. I think that possibly there will be time saved.

Mr. PARDEE. I can see no object in the Bill standing. The primary objection to the Bill when it was under consideration before was that there might be some question that it would lead up to the damming of the St. Lawrence. Granted even that the Bill at that time said so, which it never did, the amendment which has been introduced would absolutely prohibit anything of the kind whatever, so that the whole question of any danger along these lines is absolutely removed from the Bill by the amendment. I cannot see where anything would be gained by allowing it

to stand. There is nothing more that can be known of the Bill. In its present form it is simply a transmission line company, and it has absolutely no relation to the Bill of 1901 whatever, and even if it had it is absolutely restricted by the amendment proposed.

Mr. HUGHES. Whether the two Bills are not intimately associated is a question that a great many of the best legal minds in the country are in doubt upon; in fact, the hon. Minister of Public Works (Mr. Pugsley) frankly admitted when the matter was up before that the two Bills were associated together one being the complement of the other. In considering the question of the amendment which is proposed by my hon. friend (Mr. Pardee) further doubts have arisen as to the position that the company would then be in with relation to the damming of the St. Lawrence and with relation to the whole Bill.

Mr. PARDEE. Has the hon. gentleman read the amendment?

Mr. HUGHES. Yes.

Mr. PARDEE. Does he take any such meaning as that out of it? Does not the amendment absolutely preclude any such conclusion being come to?

Mr. HUGHES. I think not.

Mr. PARDEE. The amendment is as follows:

> Nothing herein contained shall be deemed to constitute an approval by parliament of any future development of water-power by erecting a dam in or across the St. Lawrence river under the Act 1 Edward VII., chapter 3, intituled: 'An Act to incorporate the St. Lawrence Power Company,' or otherwise. Nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

Nothing could be plainer in limiting the rights granted by this Bill than the language set forth in the amendment.

Mr. BLAIN. May I ask the Prime Minister if the government has had any correspondence with the Ontario government with respect to the further discussion of this Bill?

Sir WILFRID LAURIER. I understand my hon. friend's question to be whether the government has had any correspondence with the Ontario government. As far as I know, none whatever. I do not understand at this stage of the Bill what can be the object of my hon. friend's asking that it should be postponed. There has been a good deal of misapprehension regarding this Bill. I do not know how it has arisen, but the impression has been created, and largely circulated in the press that the government was in some way responsible for this Bill, and that it was connected in some way with it. There is no foundation for such an impression. The government has had no connection at all with it and it is quite indifferent as to what should be its fate. The government has no view on the matter, except simply this that for my part I quite shared the apprehension which was entertained, though I do not say that it came into this Bill, that in some way or other the object of the promoters was to take a step forward in the legislation which was adopted some years ago in regard to the damming of the St. Lawrence. Some years ago, as everybody knows, a Bill was passed by this House which authorized the damming of the St. Lawrence, of course, under the supervision of the Department of Public Works. No objection was taken at that time, as indeed, at that time, no apprehension was created. But since the matter has come more prominently before the public, there has been a very general apprehension, and not only an apprehension, but a very deep-seated opposition to the damming of the St. Lawrence as was contemplated under that law. Many are the reasons that have been adduced in that respect. The riparian owners, and the riparian towns above the site of the projected dam were afraid that if the St. Lawrence were dammed at a certain stage the consequences might be very serious to them. It was feared, and perhaps there was some very good ground for the fear, that there might be occasional, if not continual floods in the spring. Another feature was that it was not known, and so far as I am aware nobody has yet been able to tell us, what would be the consequences with reference, for instance, to the possibility of ice being jammed beyond. On the other hand, those below the dam were afraid that it might seriously affect the level of the river, and that navigation might be impaired. Another source of objection was that the St. Lawrence river is so bound up with the history of the country, and its geographical features, that many were disposed to look at any attempt to in any way impede its flow, as something like a sacrilege. I do not think that expression is too strong, and for my part I share that view. I would not, so far as I am at present advised, agree for any consideration whatever to the damming of the St. Lawrence where it is proposed to dam it. The matter has been for several years —it is not too much to say it has been for several years—before the Waterways Commission, and they have very properly been taking evidence as to what would be the effect on the St. Lawrence in respect to damage

caused by flooding, damage caused by lowering the level of the river, damage to the scenery, and so on. It is proper that we should have information upon these points, and the commission is investigating the subject. It may be that as a result of their investigation parliament would come to the conclusion that the works which are contemplated should be erected. On that subject I pass no opinion at all. I must admit, however, that in this industrial age very often beauty and character are sacrificed to utility. English capital has dammed the Nile, and in so doing has destroyed a good deal of its beauty and historical scenery, but on the other hand it has proved a source of great benefit to the farming population on the banks of that river. It may be that in the course of time the demand for energy will become so great as to impel this parliament after due consideration to do the same thing with the St. Lawrence, but at present I have no hesitation in saying that for my part I would not agree to it. I, therefore, think it my duty to say that the government does not at all, at the present time, favour this project. When the Bill was introduced there were perhaps features in it which might have led the public to come to the conclusion that there was something behind it, and that it was intended somehow or other that this was a Bill to further promote the scheme of damming the St. Lawrence. When the Bill came back from the committee to which it was referred, and which gave it a good deal of attention, I for my part thought it had been shorn of all the possible mischief there was at first in it and that it might pass the House. But a good many members of the House—not on one side alone, but on both sides—were apprehensive as to that, and in order to make the matter doubly sure, not only doubly sure, but absolutely sure, my hon. friend (Mr. Pardee) has moved this amendment, which I beg permission of the House to read once more so as to call attention to it:

> Nothing herein contained shall be deemed to constitute an approval by parliament of any future development of water-power by erecting a dam in or across the St. Lawrence river under the Act 1 Edward VII., chapter 3, intituled: 'An Act to incorporate the St. Lawrence Power Company,' or otherwise. Nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

Now, in my humble judgment, if these words are introduced in this Bill they would eliminate any apprehension which might have existed at one time.

Mr. HUGHES. This is the first time we have had a frank admission from any member of the government that the Bill of 1901 was actually a Bill to dam the St. Lawrence river. That throws new light on the matter to-night. That was denied the other evening by those who were supporting the Bill, but this amendment frankly admits that the Bill of 1901 gave authority to dam the St. Lawrence.

Sir WILFRID LAURIER. Part of it, certainly.

Mr. HUGHES. The Canadian part of it.

Sir WILFRID LAURIER. Part of it.

Mr. HUGHES. The First Minister frankly admits that to-night and throws new light on the subject.

Sir WILFRID LAURIER. As I read that Act the power is given to dam the St. Lawrence for the purpose of generating energy, and whether it was wise or unwise to give that power, no action has been taken upon it. When we were asked to agree to plans for damming the St. Lawrence, the matter was referred to the Waterways Commission which has still the subject in hand. For my part I agree with my hon. friend (Mr. Hughes); I do not want to see the St. Lawrence dammed, and that is why, to meet the objection raised by some members on both sides of the House, the present amendment has been introduced which makes it clear that nothing under the present Bill can be done or shall be done so as to enhance or favour or forward what was done by the Act of 1901. And so, if this Bill is passed no injury can accrue to those who want to have the St. Lawrence remain as it is.

Mr. J. D. REID. Did I understand the Prime Minister to say that this company erected a dam under the Act of 1901?

Sir WILFRID LAURIER. I understand they did some work.

Mr. J. D. REID. The Minister of Railways will bear witness to the fact that they never built any dam at all. The government built and paid for a dam from the mainland to Sheiks island.

Sir WILFRID LAURIER. That was long before the Bill of 1901.

Mr. J. D. REID. Mr. M. P. Davis had the contract from the government for building that dam.

Sir WILFRID LAURIER. Possibly.

Mr. J. D. REID. There is no question about it at all; I know the facts very well. That is really part of the canal system, and it is exactly the same as if a person leased power from the government on the Lachine canal or the Cornwall canal. Of course,

Mr. Davis had the advantage, when he was building the dam, of knowing that the power would be there, and so to-day he is paying a rental to the government, he having built his wheel pits within the government dam. But, the very fact that the Minister of Public Works stated the other night that this Bill is really part of the proposal to dam the St. Lawrence—

Mr. PUGSLEY. The Minister of Public Works did not say that.

Mr. J. D. REID. The Minister of Public Works stated that this Bill was really subsidiary to the other.

Mr. PUGSLEY. No such thing. I must correct my hon. friend. I made no such statement to this committee. I have been greatly misrepresented outside the House, and now my hon. friend is misrepresenting me inside the House. On the contrary, I stated that this Bill in my judgment had nothing to do with the question of damming the St. Lawrence. As to that, my mind was open; I had not formed a judgment one way or the other.

Mr. R. L. BORDEN. If my recollection is correct, the minister said that he had no doubt that this company proposed to get its power from the St. Lawrence Power Company.

Mr. PUGSLEY. If it should be developed.

Mr. R. L. BORDEN. I do not know that there was any qualifying phrase of that kind

Mr. PUGSLEY. I said that if that power were developed I suspected that this company would get its power there, but at the same time I had no knowledge on the subject.

Mr. J. D. REID. At all events, my impression from what the minister said was that this Bill was to be considered in conjunction with the Bill that should come at a later date, so far as the damming of the St. Lawrence was concerned.

Mr. PUGSLEY. I made no such statement.

Mr. J. D. REID We have 'Hansard' here.

Mr. DEPUTY SPEAKER. I must point out that when an hon. member denies having made any statement, his denial must be accepted irrespective of any other reference.

Mr. J. D. REID. There is another thing I want to say to the Prime Minister. When this Bill was before the Private Bills Committee, we urged that this St. Lawrence Power Company's Bill be amended in clause 10. The claim was that the St. Lawrence Power Company could only go to a place called Hoople's creek, ten or twelve miles above Cornwall, for their power. If they had amended clause 10, there would not have been any objection to extend the scope of the St. Lawrence Power Company westward to Brockville or eastward to the Lachine canal. When the people interested in this Bill went to Prescott and Brockville they did not hesitate to say that this Bill had to go through, because the damming of the St. Lawrence was part and parcel of the whole affair, as they had not the power at Cornwall, all the power they had was sold, and they could not possibly supply the power from the St. Lawrence Power Company. But when they came back here they tell a different story. They say they have plenty of power at the St. Lawrence Power Company, and no doubt they have. The answer I gave to them at Prescott was that there was plenty of power there, and if the people of Brockville and Prescott would subscribe for plenty of power it would pay them to extend their transmission line to those places. If they refuse to give the people the advantage of a cheap power, we could ask the government to cancel the contract which they have for lighting the canal, amounting to $52,000 or something like that for 89 years, and there is no doubt that they would run their transmission line to Prescott and Brockville rather than have that contract cancelled. They would have no trouble in running their transmission line to Brockville or even to Kingston, as they say they are anxious to do. Mr. Beach, who has a water-power at Iroquois, has put in a new plant and is ready to serve the public. It is true, he has only put in machinery for 500 horsepower, but he has 2,000 horse-power that he is anxious to sell at Prescott and Brockville if it would pay to run a transmission line. In coming from Hoople's creek to Prescott, I understand that this St. Lawrence Power Company are going to buy the right of way for a width of 30 or 40 feet along the Grand Trunk railway. If they purchase that they will have no trouble in running their transmission line, and they do not need to have an extension of their charter for that purpose. Of course, if they were running on the public road, they would require to get a by-law from the municipality. Mr. Beach had no trouble in getting a by-law passed for that purpose. Down there the whole story was the damming of the St. Lawrence. Now they turn round and say that they are going to supply power from the St. Lawrence Power Company. That company, in the first place, would not agree at what price they would supply the power. They are supplying it to Cornwall for $12.50, and they are charging the government $63. There is no trouble about their getting to Prescott and

Brockville if they want to do that. So far as Montreal is concerned, I think the Prime Minister will admit that it is pretty well supplied with power. From the Beauharnois canal there will be 75,000 horse-power, I have heard some engineers state that at the very least there will be 50,000 horse-power soon going from there to Montreal. Then, there is plenty of power from the Lachine canal, Shawenegan and Cedar rapids. In regard to this scheme for damming the St. Lawrence, let the Prime Minister just look at the situation. The proposed dam is to be right where the government territory commences to run eastward on both sides of the river. This government gave permission a few years ago to this same crowd, who are practically the Standard oil people, to dig a canal from the St. Lawrence to empty into the Grass river on the American side. The same people own the Massena power plant on the other side of the river, but they are only using a small portion of that power.

Mr. HUGHES. They have developed 35,000 horse-power now.

Mr. J. D. REID. That canal empties into the Grass river, which empties again into the St. Lawrence. If this dam goes across the Long Sault, and they simply place a dam at the end of Grass river where there is thirty or forty feet of a rise, it is going to send the water down through the state, and they will have not only a water course, but they will have power all the way down that state. From what people tell me it is worth an immense amount, and I am told that a canal system can be run from that point to Lake Champlain. If that is the case the Prime Minister will see that grain can be brought to that point, and carried down that way to Lake Champlain. Now the only reason they can urge for pushing this Bill through this session would be to get a supply of power for Prescott and Brockville. I am satisfied from what I have heard from good lawyers that they will have no trouble to buy the right of way, and carry that line up to Prescott and Brockville. If they can do that, I do not see any great rush for this Bill. Let it be held over, and let the government go into the matter, and bring it up at a future session.

Mr. GRAHAM. If this Bill had anything to do with damming the St. Lawrence river I would hesitate very much before I would support it. Unlike some hon. gentlemen, I speak of the situation as having lived along it most of my life. It is not only on the map that I know it, but I have walked over the ground time and again. I am not going to discuss the question of damming the St. Lawrence river. That is a pretty big problem, and we will discuss it at the proper time, if the time ever comes. But this Bill has nothing to do directly or indirectly with damming the St. Lawrence river, and cannot be construed as having any such purpose after the amendment proposed by the promoter of this Bill, and a discussion along those lines is calculated to lead us away from the purpose of the Bill.

Mr. BLAIN. May I ask the minister if the Bill had anything to do with damming the St. Lawrence before the amendment was introduced by the mover of the Bill?

Mr. GRAHAM. I never understood that it had. I say frankly that I appeared before the Private Bills Committee, not as a member of the government, but as a member for the constituency affected, and very seriously affected, and all I suggested to the committee was that they give us a Bill for the incorporation of a transmission line, and nothing else. That is all I ever favoured, that is all I favour now, and that is all I believe there is in this Bill. It is all very well for hon. gentlemen who are going to be supplied with cheap power in their own locality, to withhold sympathy from our attempt to get the power which we have not now.

Mr. HUGHES. Did the town of Brockville try to get this power, or was it presented to them?

Mr. GRAHAM. For five years the Brockville people have been discussing with Mr. Beach, and endeavouring to get together on terms to form a company to transmit power from Iroquois. It is with the sole desire to get power into a part of the country that has not any power, that I want this Bill put through, and any hon. gentleman in the House would do the same thing if he were true to his own constituents. Now as to the damage to be done, nobody need tell me anything about damage to be done if the St. Lawrence river is to be dammed. I have lived there, and know all about it, I know where the ice jams occur, and what is the result. But that has nothing to do with this Bill. This Bill has been shorn of everything that can lend suspicion that it is a back door attempt to dam the St. Lawrence river.

Mr. ARMSTRONG. Would the minister tell us why these plans were all prepared in connection with a company?

Mr. GRAHAM. Yes, certainly. These plans were prepared because a company has been trying to get permission to dam the St. Lawrence for some years, and these are their propositions. They wanted to get the power, but the government has not given them the power. The Prime Minister stated a year ago that nothing would be done without taking parliament

into the full confidence of the government. But I come back to this point. In so far as the town of Brockville is concerned, they have made many attempts to get power, and no serious effort has been made by any person outside Brockville to give us that power. True, some letters have been written intimating that such an attempt has been made, but I say that no serious attempt was ever made, and we are as far from getting power to-day as we ever were. That makes a very difficult situation for a town the size of Brockville. I may say that what is now one of the largest industries in the Dominion of Canada had its nucleus in the town of Brockville, a manufactory of agricultural implements. The stock of that company was purchased from local men, the local men understanding that the company was to be established in Brockville and would enlarge its business. But the question of power immediately came up and as we did not have the power we lost the industry, although we offered, I think, an unreasonable proposition in the way of a site and in the way of bonuses. The hon. member for Grenville (Mr. Reid) has pointed out the ground on which I wanted this Bill put through.

Mr. SPROULE. Did they ever apply to the Hydro-Electric Commission to get the power?

Mr. GRAHAM. They did, they asked for bread and they got a stone, absolutely. What I said a few moments ago, I mean emphatically, that no serious effort was made to give them any power from outside sources, and any person that makes any other statement says what is absolutely untrue, because I know all about it. I think there is some surplus power with a company now at Cornwall, the St. Lawrence Power Company. It must be remembered that this power is leased to them by the Dominion government in the manner outlined by the hon. member for Grenville (Mr. Reid). I am of the opinion that they have surplus power that they can give to somebody. There is a power, or the nucleus of a power, generated opposite Morrisburg, in the village of Waddington, a power I know very well, in what is known as the Little river, nearly opposite Morrisburg, or a mile further west. The situation is something like that at the Sault. There is the main channel of the St. Lawrence river on the north, there is Ogden's Island, and to the south of that is the Little river. Years ago they had a dam across the Little river at Waddington and a paper mill there. That power has passed into the hands of another company. I am not sure but that if they had a transmission line, power could be obtained from that source. Then we come to Iroquois where Mr. Beach has some surplus power, but I am of the opinion it will never be of use until somebody builds a transmission line. Now without any thought of damming the St. Lawrence river to get power, I do not see why this House should not grant a charter to a transmission line, a charter robbed of everything else, and give us an opportunity to get the power that runs along that line for the development of our industries. That is all I have asked for, and all I want. And I do not think it is reasonable that the House, in the face of the present situation, with the Bill amended as I want it amended, so as to give the company no power except to run a transmission line—I say that I think it is not treating that part of the province fairly, it is not treating the constituency I represent fairly to say, when we think we have a chance to get power in this way that we should not have the right to have a transmission line for that power. I know the situation thoroughly, and I say again that all we are asking for and all that is wanted is power to transmit electricity. If it is not granted under such a Bill as this, we cannot get it. I believe there is power enough already developed along the route of that transmission line to supply the towns that are asking for power.

Mr. SPROULE. Does the hon. minister think that this is not in any way connected with the St. Lawrence Power Company or that when this Bill is passed the one company will not be the complement of the other? If not, why is this called The St. Lawrence Power Transmission Company,' while the other is 'The St. Lawrence Power Company'? I take it, the ownership is the same in both cases, and one company is the complement of the other, the one intended to develop power and the other to transmit it.

Mr. GRAHAM. I did not see the Bill when it was first drawn, but as it stands now it precludes this transmission line from taking the power from works not already constructed. So, this transmission company is tied down to powers developed in works now established and constructed. So, that gets over the objection of my hon. friend (Mr. Sproule) altogether. And I think it ought to.

Mr. NORTHRUP. I am sure the House was pleased with many of the remarks of the right hon. gentleman (Sir Wilfrid Laurier) who leads it, and agrees with him to a great extent in those remarks. I did, for my part. He was opposed to a scheme to dam the St. Lawrence. He sympathized with those who were suspicious of the Bill before the House. But when these amendments were introduced by the hon. gentleman who moved the Bill, all objection was removed from the right hon. gentleman's mind, because he saw at once that, by the very reason of this amend-

ment, the Bill, which up to that time, amply justified suspicion on both sides of the House, was robbed of any features that might justify suspicion. Possibly the right hon. gentleman may view the Bill from one standpoint and I from another. But I would ask hon. members to consider what this amendment is, and see if it justifies the conclusion that the right hon. gentleman—perhaps I might say a little too confiding in his opinion of the promoters of the Bill—has reached in connection with this matter. Let us read the amendment:

Nothing herein contained shall be deemed to constitute an approval by parliament of any future development of water-power by erecting a dam in or across the St. Lawrence river under the Act 1 Edward VII., chapter 3, intituled: 'An Act to incorporate the St. Lawrence Power Company,' or otherwise.

Suppose that the amendment had not been moved at all, how in the world would the Bill differ from what it is? Can anybody suggest the slightest thing in which the Bill minus this amendment is different from the Bill plus this amendment? There is nothing in this Bill about damming the St. Lawrence. Nobody has ever contended that this Bill said anything that would give the right to anybody to dam the St. Lawrence. And, inasmuch as it does not give that right, how can it affect the existing condition to put in a clause declaring that nothing contained in the Bill shall be deemed to constitute an approval by parliament of that course?

Mr. PARDEE. Read the balance, please.

Mr. NORTHRUP. One thing at a time. There are two clauses. So far as the first clause is concerned, the law would be precisely the same without this amendment as it will be with it. Now, if we find a clause inserted which is obviously meaningless, yet so artfully drawn that it appealed to the right hon. Prime Minister (Sir Wilfrid Laurier) himself—even though it may be, he has more confidence in the promoters of this Bill than some other members of the House have—and who, reading it cursorily, thought it meant something, is not that reason why we should be all the more suspicious of the real purpose behind this Bill? The amendment goes on:

Nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

That is to say, this company is asking the authority to transmit only the power which can be manufactured by the St. Lawrence Power Company with its development up to date Why does not the St. Lawrence Power Company transmit its own electricity? We have been told by the Minister of Railways and Canals (Mr. Graham) that the object of the Bill is simply and solely to give this new corporation the power to transmit electricity. If the original company had not authority to transmit electricity, there must be some ground for that argument. But has the St. Lawrence Power Company the right to transmit electricity or has it not? There cannot be the shadow of a doubt about it. Section 8 says:

8. The company may—
(a) manufacture, use, supply and dispose of electricity, water and gas, and water, hydraulic or other power by means of wires——

There are your wires.

—cables, pipes, conduits, machinery or other appliances.

So, not only has it the power to manufacture electricity,—which would be an idle boon in itself—but it has the right to transmit it by any known means. And, that there may be no doubt that it is intended that they should have the power both to produce and transmit their powers are defined by restriction at one point. Section 9 says:

(b) The company shall not permit any wire to be less than twenty-two feet above such highway or public place.

So, not only have they the express power to transmit electricity, but they are further circumscribed in the limitation of not being allowed to place any wire less than 22 feet above the public street. Thus, it is clear that the original power company had and has to-day, the right to erect its line and transmit all the power manufactured.

Mr. PARDEE. Not over the same territory that this Bill covers.

Mr. NORTHRUP. Practically the same territory.

Mr. PARDEE. No.

Mr. NORTHRUP. What limit does the hon. member (Mr. Pardee) find in the original Act?

Mr. PARDEE. Only as far as Hoople's creek.

Mr. NORTHRUP. I think the hon. member has been confused by a clause which does limit the power of the company, and which, perhaps, incidentally, sheds a light on this Bill. But that clause has nothing to do with the transmission of electricity. The other evening, I referred to the difference between the two Bills and I may take the liberty of doing it again. Section 14, of the St. Lawrence Power Company's Act gives the company power of expropriation, but limits it in this way:

Lands actually required for the construction and maintenance of the power canals, water-courses, raceways and reservoirs necessary for the utilization or operation of water-powers belonging to the company may be taken and acquired by the company.

And the Railway Act is applied thereto. But the lands referred to are simply those that the company may wish to expropriate for the construction of buildings and reservoirs in connection with their works. But we find that the present Bill proposes greater powers in regard to expropriation. And it may be that that is the secret of the present Bill. When we find that the power company has the right to do all that hon. members opposite, and the Minister of Railways, and the gentleman who promotes the Bill, say is asked by this Bill, is it any wonder that we on this side are doubly suspicious? When we consider the powers asked for by the new company, we find that they are powers generally to expropriate under the Railway Act. And one must not forget the case from British Columbia—the province vs. the Canadian Pacific railway, I believe it was—in which it was held that where, under the Railway Act, expropriation is made of lands which are vested in the Crown for the purposes of the province, that expropriation may lawfully be made. It is perfectly clear that under the original St. Lawrence Power Company Act they would have no power to expropriate the lands vested in the Crown for the benefit of the province for the transmission of electricity. They might do so for the construction of works and building of reservoirs, but it is clear that they would not have power beyond that limited purpose. In this Bill the land of the province whether under the bed of the river or wherever it may be, could be expropriated because the Railway Act applies generally giving the power of expropriation to this company just as to a railway company. When we find these suspicious circumstances the right hon. gentleman and those beside him might not be surprised if we said frankly with him that if we believed that this Bill was only to allow a certain amount of electricity generated to be transmitted, we would have no objection——

Sir WILFRID LAURIER. What else is there in the Bill?

Mr. NORTHRUP. I have been trying to point out several objectionable features and one is that the present St. Lawrence Power Company has the right to develop and transmit electricity. At the same time when we find a Bill of this kind coming in and being fought so vigorously for such a trifling purpose, that too is enough to make us suspicious, and if any one will read the history of the unfortunate negotiations which began by the contract between M. P. Davis and the late administration, he will be confirmed in those suspicions. I have no desire to so far forget my duty as to relieve the late government from blame, because I think they are deserving of a great deal of blame for the bargain the Conservative party made with M. P. Davis. I think it was an improvident and improper bargain, and should not have been made, but it was made. If the right hon. gentleman takes up the history of that case from the time it was started with that improper bargain he will find that if his predecessors chastised the people of this country with whips, he and his government have chastised them with scorpions, because in 1900, when for the first time something was intended to be done, a new contract was made by the right hon. gentleman's administration, ten times worse than the original contract. Perhaps the hon. gentleman would have less confidence in the promoters of this Bill and their intentions if he bore in mind that the contract made in 1900 was an illegal contract. I would not venture to tell the minister that they had made an illegal and improvident contract were it not that I had been fortified by a legal opinion which the right hon. gentleman would not dispute. The Auditor General refused to pay accounts, and he obtained the opinion of Mr. A. B. Aylesworth, K. C., of Toronto, before that hon. gentleman became a member of the government, as one of the leaders of the bar in Ontario. He informed his client, the Auditor General, frankly, freely and honestly, as of course he would always give his opinion, that it was an utterly illegal contract. When we find that the origin of this transaction was an illegality, and when we see the continuous difficulty experienced by the Auditor General year after year in trying to protect the treasury from the very gentlemen who are behind this Bill, I think we are justified in this year 1910 in saying that we are suspicious of another Bill, professing to attain so trifling an end, and employing so much material to obtain it. If we are wrong and hon. gentlemen opposite are right, then if the Bill were allowed to stand over for a year, could any grievous wrong be done to any one? The power has not been used. The public has got along without it. It is asserted that this is a part of a larger scheme and I am sure no member would defend the larger scheme if it is as it is represented to be. If that be the case and the worst that could happen by throwing out or postponing this Bill is that the people of the St. Lawrence will be further delayed in obtaining the electricity which they have not yet obtained, that will not be a very serious matter. But if we are right and the hon. gentlemen opposite are wrong, if, as many of us in the province of Ontario believe, the effect of this Bill is to

complete a contract intended to be made, and supposed to be made in 1900, but which by an oversight of the draughtsman was not made, surely it is better that this country should be protected, even now, than when it is too late we should discover what we have done. Hon. gentlemen must remember that it is a matter of common notoriety that Canada, owning great powers there, has derived little from them, and many of them are gone. One thousand dollars a year is all the Dominion receives from the dam which the Dominion built. It is a matter of common report that not more than $100,000 to $120,000 were expended by the St. Lawrence Power Company, and they sold out for nearly one million dollars. That means that parliament has already made a present to these fortunate individuals of nearly $1,000,000. Under these circumstances I appeal to the right hon. gentleman not to hurry the House into legislation which it might be impossible for us to retract. I venture to say to him that if the Bill of 1901 were being proposed to-day, it would not take us long to secure what we are asking, that it should at least stand over until the next year. I think we are all to blame for allowing that Bill to pass the House. Probably the right hon. gentleman did not know more about it than I did personally at that time; we all know how these Bills pass through the House.

Sir WILFRID LAURIER. I must deprecate the appeal made to me by my hon. friend. The government had nothing to do with this Bill. It is altogether private legislation, and whether the House agrees or not the government is quite indifferent. But I understand that this is a Bill that is looked to with some interest by citizens on the banks of the St. Lawrence above and below the proposed site of that dam. I cannot personally see the mischief which my hon. friend says is included in this Bill. There was suspicion and the suspicion arose from the fact no doubt that it was named the St. Lawrence Power Transmission Company, the St. Lawrence Power Company being the name of the company authorized to dam the St. Lawrence. I have examined the Bill carefully as it came from the Committee on Private Bills, and I can see nothing in it to which exception could be taken. In order to make the matter still more certain and free from doubt, the present amendment has been introduced. If the amendment is not sufficient to make the thing absolutely sure, it is open to my hon. friend to strengthen the amendment in any way he pleases. The only thing I can see in the Bill is that there are people in Brockville and other riparian towns who want power and who would get it under this Bill. They would not get it from the St. Lawrence Power Company from the dam intended, because parliament will not allow the construction of this dam at this moment at least, but from other sources, and if this Bill does not pass they cannot get their power. My hon. friend says they can get it now. I do not know as to that. He says all the power given by this Bill is already in the Act. I do not know about that, but I shall accept his ground. I take his view that it may be so. Then, the only effect of this Bill would be to give to this new company what is given to the other company. The other company have the right to transmit electricity. But this is a new corporation which is created, and it will have this additional power to transmit electricity from two sources which it only had originally from the other source.

Mr. MIDDLEBRO. The Prime Minister (Sir Wilfrid Laurier) says that there is nothing in this Bill which in any way identifies it with the St. Lawrence Power Company's Bill. Hon. members on this side of the House thoroughly believe that this is nothing more nor less than a Bill to supplement the powers given already to the St. Lawrence Power Company. If further confirmation were needed than that which we have had already it is to be found in the words uttered by the right hon. Prime Minister, which I think are sufficient to justify our suspicions. The Prime Minister couples this Bill with the power Bill of 1901. If it is not, and we still have some doubt as to that question, the amendment which is introduced is nugatory. Then, we have the words of the hon. Minister of Public Works (Mr. Pugsley) who, on the 14th March, in reply to a question put by the hon. member for Westmorland (Mr. Emmerson) as to what was the urgent necessity for such haste in passing this Bill, said:

> I do not know what is in the minds of the promoters of the Bill, but it does not occur to me that the Bill provides for great haste, because it is only to come into force on a day to be fixed by proclamation of the Governor in Council, and the Governor in Council will not issue that proclamation until the agreements are entered into, plans are fully considered, and it is understood that the works can be constructed in the public interest and without injury to navigation,—and, I would assume,—they would not issue the proclamation until these agreements were submitted and ratified by parliament.

In other words, the Minister of Public Works say that this Bill will not go into operation by proclamation until the agreements and plans are ratified, and we are justified in assuming that it means that this company are going to procure their electrical energy from the St. Lawrence Power Company as soon as the Governor in Council will give his assent by procla-

mation. That seems to connect the two institutions. It seems to me that there is no doubt that by the Bill of 1901 power was given to the St. Lawrence Power Company to erect a dam upon the St. Lawrence river extending to the international line. In that case we have to consider whether or not we are going to supplement that Act by means of the Bill before the House to-day. I am quite safe in saying, I think, that had we the St. Lawrence Power Bill before us to-day we would not give our consent to it. The St. Lawrence Power Bill of 1901 gave the right to that company to generate and transmit electricity, and the reason for the present Bill, in my humble opinion, is that the Bill of 1901, while it gave power to generate and transmit electricity, did not give a power that this company are getting, namely, the power to enter municipalities and take from private individuals their property without consent. These powers of expropriation are omitted from the Bill of 1901, and they simply want these powers to-day to supplement the powers which they got in 1901. I venture to say that the hon. gentleman who is promoting this Bill will not consent to the expunging of the expropriation powers. Otherwise the Bill is altogether useless to be used in conjunction with the Bill of 1901. That being the case, we must consider these two Bills together, and we must consider whether we are prepared to grant the company the rights contained in this Bill. The Bill gives them all the powers of expropriation contained in the Railway Act as far as they are applicable, and in addition it gives them further powers. It provides that the word 'land' as used in the Railway Act, shall include the words 'easement or privilege'. In other words, the company have the right to purchase by expropriation, not only land as provided for in the Railway Act, but also easements and privileges. So that, in considering all the powers that they have we have to add the words 'easement and privilege', to 'land' as specified in the Railway Act. What would be the effect of this legislation? Take section 151 of the Railway Act, which is the expropriation clause and reading that section into this Act the language would be as follows. This company will have the power to:

> Purchase, take and hold of from any person, any lands, easements or privileges, or other property necessary for the construction, maintenance and operation of its works and also alienate, sell or dispose of, any lands, easement, privilege or property of the company which for any reason have become not necessary for the purposes of this undertaking.

Take section 176, read into that the provision of this Bill, and it will read as follows:

> The company may take possession of, use or occupy any lands, easements or privileges belonging to any other transmission company, use and enjoy the whole or any portion thereof, &c.

Then take section 179. Where it says that lands may be taken without the consent of the owners, it will read 'lands, easements, or privileges' and it will provide that these will be taken without the consent of the owners. Section 180 provides that the company shall file plans showing the route of their proposed transmission line. That section will be quite applicable to the proposed company. Section 192 provides that:

> The deposit of a plan, profile and book of references, and the notice of such deposit, shall be deemed a general notice to all parties of the lands, easements and privileges which will be required for the purposes of the company.

I would like to know if that section is going to apply. It shows into what entanglements one may be led by making the Railway Act apply to a company organized for the transmission of electricity, and I am sure we would never consent to passing it in its present condition. It would give the right to this company to construct their poles over the houses and barns of private owners. Once you grant the right of expropriation they can expropriate that right so long as they compensate for the injury. As this Bill gives them the right to expropriate an easement or privilege they have the right to construct their wires along the sides, or on top of houses, or on the poles of other companies. I am sure it is not the intention of this parliament to allow this company any such prilege. Then, there is the right to expropriate private property which is expressly excepted from the Act of 1901. The Act of 1901 says that:

> Nothing herein contained shall be deemed to authorize the company to enter upon any private property for the purpose of erecting, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being.

This gives the company that privilege and it is for that very purpose, for the purpose of getting what they were not given in 1901 with respect to the transmission of electricity, that this company are making application to-day. In addition, they have the right, without the consent of the municipality, to go to the municipality, and erect their transmission line. That right is expressly excepted from the Act of 1901 by section 9 which says:

> The company for the purpose of constructing and maintaining its works may with the consent of the municipal council or other authority having jurisdiction over the same enter on any highway, square or other public

place and as often as the company thinks proper, may with like consent open any highway, square or public place, &c.

There is no provision for compulsory expropriation under this Act. Taking all these facts into consideration, and speaking now upon the Bill itself—and there are many other objectionable matters that could be brought to the attention of the government if I were to speak in connection with the St. Lawrence Power Company and its proposed plans to be submitted to the government—but, simply speaking of the Bill itself as it appears before us it should not pass in its present shape. I claim that the amendment suggested by the promoter of the Bill does not in any way safeguard the public; on the contrary I hold that it is injurious to the public. The first part of the amendment says:

Nothing herein contained shall be deemed to constitute an approval by parliament of any future development of water-power by erecting a dam in or across the St. Lawrence river under the Act 1 Edward VII., chapter 3, intituled: 'An Act to incorporate the St. Lawrence Power Company,' or otherwise.

That means nothing because if the company has the power now we are not taking it from it then, and if it has not the power we are not giving it, so that it makes no difference. The amendment goes on to say:

Nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

This means that we prohibit the St. Lawrence Power Company from passing over its transmission line any power except such as is at present generated, by works already constructed and what the petition presented to the House states is 2,300 horse-power, and as that petition also states they are capable of developing 6,000 horse-power we are in fact restricting them from transmitting about 4,000 horse-power over these proposed lines. In other words we are actually preventing the development of the resources of the power already there to be used in this country, and we are practically providing a means by which the power shall go somewhere else, probably across into the United States. Now, I would like to know whether this parliament is going to have an opportunity of assenting to or rejecting the proposed plans of the St. Lawrence Power Company. The Minister of Public Works seems in some of his remarks to indicate that parliament is not going to be consulted. On the 13th of March, 'Hansard' page 5507 he said:

Such information has not come to me and I am not aware of it having come to any other member of the government, or any other department. With regard to the compensation to be paid, I, as Minister of Public Works, have been called on to consider the matter with the view of determining what would be fair to Canada in case we should finally approve of these works; and I am prepared to say that, so far as my department is concerned—and it will have a good deal to do with the fixing of rates—it will recommend to council that no agreement be entered into and no approval be given the works of the company unless there goes into the treasury of Canada as much revenue from this power as will go into the treasury of the state of New York.

From this it would seem quite plain that the Minister of Public Works does not think it is necessary to come to parliament to say what compensation shall be paid by this company for the power they propose to get. It seems to me that under the provisions of the Act of 1901 it may not be necessary for the company to come here, because we have already passed legislation saying they may build a dam to the centre of the River St. Lawrence to the international line, and on the other side the state of New York has given the Long Sault Company similar power, so that when they have their works constructed in each respective case they will have a complete dam across the St. Lawrence river, and then all they need have is the approval of the Governor in Council as mentioned in the Act of 1901. I would like to have an assurance from the Prime Minister that the government shall not in this case act by order in council, but that this parliament will have something to say as to what they shall pay for that power just as the legislature of the state of New York had the right to fix the compensation to be paid on the other side. I wish an assurance upon this point?

Sir WILFRID LAURIER. Upon what point?

Mr. MIDDLEBRO. Upon the question whether or not under the Act of 1901 the fixing of remuneration to be paid will be by order in council or by a Bill submitted to this parliament?

Sir WILFRID LAURIER. I think I remember that I stated last year that in a matter of this kind the government would not take any action except after consulting parliament.

Mr. R. L. BORDEN. Would the Prime Minister be willing to have a clause to that effect inserted in this Bill?

Sir WILFRID LAURIER. I would not have any objection at all.

Mr. R. L. BORDEN. It does not seem to me that the government can be quite as indifferent to a Bill of this kind as the

Prime Minister suggests. The modern doctrine in Great Britain at least is that the government by virtue of their control of parliament are held responsible not only for public legislation, but for private legislation as well. It seems to me that much the same rule ought to prevail here. But even assuming that such would not be the case in ordinary instances we must remember that this is not an ordinary case This is a proposal to deal with a great international water-way. It is a proposal also to enter into a scheme which may affect at some time or other international relations, and, therefore, it is of the utmost possible importance that the Bill, although introduced as a Private Bill, should nevertheless be most carefully considered by the administration, and that the government should have absolute responsibility with regard to it. I do not see how the government can avoid that responsibility. I understand it is not a government measure in the ordinary sense, but still in respect to a subject of this kind it seems to me the government must accept responsibility as direct, and as immediate as if this Bill were a government measure. Now, the Act of 1901 was passed without any discussion whatever in this House. There was no discussion on the second reading or on the third reading or in the committee. I was in the House at that time, and in common with my hon. friend from Hastings I have to accept the responsibility for the fact that there was no discussion. But one reason for that I suppose was that a great many of these Bills which do not attract attention are accepted in Committee of the Whole House by reason of the fact that they have been passed by the Select Committee. I do not suppose that any member of this House at that time grasped the full significance of the language which is to be found in section 8 of that Bill. That section conferred upon the St. Lawrence Power Company, which as we all know, and as has been practically admitted, is only another name for the company which is promoting this Bill. I do not think it has been denied that the persons who control the St. Lawrence Power Company are the promoters of this Bill.

Mr. HUGHES. Pardon me a moment—the two companies are owned, and controlled by the Long Sault Construction Company. The St. Lawrence Power Company, and the St. Lawrence Transmission Company are owned, and controlled by the Long Sault Company, and I challenge denial of that statement.

Mr. R. L. BORDEN. The St. Lawrence Power Company under another name is now coming to parliament for some further rights and privileges. It is not important at the present moment to consider how far-reaching the powers it wants from parliament may be. It wants those powers for the purpose of carrying out a scheme. That scheme involves the damming of the St. Lawrence. They have power at the present time, under one of their charters, to dam the St. Lawrence as far as the international boundary. That has not been and cannot in my opinion be successfully denied. There is a certain qualification upon the power thus conferred upon them. That qualification is contained in the proviso to be found in subsection (a) of clause 8 of the Act of 1901. It is in these words:

> Provided that the works hereby authorized shall not be commenced until the plans thereof have first been submitted to and approved by the Governor in Council.

My right hon. friend said on a previous occasion, I think it was last session, or it may have been this session, that he regarded that project as of such vital importance to the people of this country that nothing would be done to carry it out without the consent of parliament. That, I understand, to be his position; if it is not, he will correct me. I would suggest to him that, if that be his position, it would be proper now to say to this company, which is coming here under another name; 'The importance of the rights which were conferred upon you in 1901 was not recognized at the time; it is more fully recognized now, for many reasons which I need not stop to enumerate. For one thing, we realize, more than we did in 1901, the very great importance to the people of these water-powers.' Why, then, would it not be opportune, when this company is asking for further privileges, to insert in this Bill a distinct provision making it absolutely necessary that the approval of parliament shall be obtained before any such plans are approved? The right they have obtained is a qualified right; it is subject to the approval of the Governor in Council. Would it not be a fair and reasonable proposition, in view of what has since transpired, and in view of the importance of this subject in the eyes of the people of this country, that we should go a step further and say that the Governor in Council shall not approve of any plans until those plans have been first submitted to and approved by parliament. I would suggest that to the right hon. gentleman as a reasonable rider to this Bill, and it seems to me that it would go very far in the direction of satisfying certain criticisms which have been made on the Bill.

Sir WILFRID LAURIER. I have already stated to my hon. friend that for my part I have no objection at all, and I think the government have no objection to such a proposition, because practically we

have stated that, whether we are bound by law or not, it is our intention to do so. Many people in this country are nervous in regard to the possible damming of the St. Lawrence. I have stated to the House the various objections, and for my part I have one also. At the present time, with the information I have, I would not consent on any consideration to have the St. Lawrence dammed. I give my opinion as to that with perfect candour. I may say to my hon. friend that I do not altogether admit the position he has taken, that I am responsible for all private legislation. There is private legislation of different kinds. For instance, there are divorce Bills for which I cannot be held to be personally responsible. But the question of this Bill depends altogether on what powers are intended to be conferred by it. At first blush it is simply a Bill for the transmission of electrical energy. To the ordinary mind there is nothing objectionable at all in that. But the objection arises at the point that this electrical energy must be generated somewhere, and the suspicion is that it would be generated by damming the St. Lawrence. My hon. friends on the other side object to that. I am opposed to it also, and in order to make the matter perfectly plain I have no objection to accepting the amendment suggested by the hon. leader of the opposition, that no works shall be carried on without the consent of parliament having been first obtained.

Mr. R. L. BORDEN. I may say that I hold my hon. friend politically though not personally responsible for all the divorces which have been granted in parliament. I have drawn up an amendment as I would suggest, although I cannot say that it has been very carefully considered. I will send a copy of it over to the right hon. gentleman, and perhaps he will look over it and in the meantime defer the consideration of the Bill.

Mr. PUGSLEY. Before the amendment is put, I wish to say that on the 14th of March, when this Bill was under discussion, I made the following statement:

Mr. J. D. REID. Has your department power to do that without the consent of parliament?

Mr. PUGSLEY. I think not. Parliament will have to consent to the matter in the end, and my recollection is that some time ago, in answer to a question put by the hon. member (Mr. Hughes) the Prime Minister stated that before the plans were approved of, the whole matter would be submitted to parliament for consideration, and before definite action would be taken, parliament must be satisfied that the work will be in the interest of Canada.

All the remarks I made as to what my department would do, as to requiring that at least one-half the power should be reserved for Canada, and as to the rates to be charged for that power, were based upon the contingency as to whether or not the plans would be finally approved of, and I stated positively, not once merely, but twice, that the Prime Minister had given to parliament the assurance that the plans would not be approved of and that no action would be finaly taken until after the whole matter had been submitted to parliament and parliament was satisfied that the work would be in the interest of Canada.

Mr. SPROULE. When the first application was made, I understand that the government's engineers reported against it, but when it was considered a second time, the same engineers recommended it. Did not that look as if the government intended to approve of the project?

Mr. PUGSLEY. Not at all. That did not look to the action that the government or parliament might take. The charge has been made in some of the newspapers which have, I regret to say, twisted and distorted and falsified to a most extraordinary degree what took place during the very interesting and pleasant debate which lasted all night some time ago, that I had made the remark in the House that plans had been prepared some time ago; and one paper stated that those plans had been prepared by my department, and that I was not willing to make them public, and refused to produce them or to give any information in regard to them, conveying the impression that they had been kept secret. As early as the 14th of January, in answer to a question which had been put to me, I stated that the company had submitted plans of which they had asked the approval of the Governor in Council. I stated that the government had referred those plans to the engineers of the three departments of Public Works, Railways and Canals and Marine and Fisheries, and that the engineers had reported adversely to the plans; that subsequently, about a year afterwards, I think, new plans were presented, and those also were referred to the engineers, and they had reported rather favourably on them, with certain limitations; and further that those plans had been referred to the International Waterways Commission. At the time when I was asked to produce the plans they were not in my possession, they were not in the possession of my department, but they were in the possession of a member of the International Waterways Commission. It was about midnight when I was asked to produce them. I stated that before the Bill was finally disposed of, I would be happy to produce them, and that if the committee desired to have them I would produce them, even though the Bill had nothing whatever to do with the damming of the St. Lawrence.

Mr. SPROULE. I understood that the hon. gentleman was also asked to produce the report of the Waterways Commission and the Conservation Commission, because we were given to understand that one or both of these bodies had considered the question and reported. But I have not been able to find that report.

Mr. PUGSLEY. The report which was asked for by the hon. member for Westmorland (Mr. Emmerson) was the report of the engineers. I stated that the commissioners had not yet reported. It has also been put forward in the press that the Act of 1901 had been concealed, and that the hon. member for Westmorland produced startling information to the House when he read that Act of 1901. The hon. member for Westmorland will do me the justice to say that it was I who called his attention to that Act, and it was sent for and he then read it to the House. I mention this in order to show that so far as I was concerned, and the same remark will apply to every other member who was supporting this Bill, there was no disposition to keep back anything from the committee, no desire to withhold any information. Now, having made this statement, I desire to say that so far as I am concerned, I see no objection whatever to accepting the amendment proposed by my hon. friend the leader of the opposition. My hon. friend from North Grey (Mr. Middlebro) said that if this was a transmission line pure and simple, and he could be satisfied of that fact, he would support the Bill Now, I would invite that hon. gentleman to suggest any statement, if by racking his brain he can think of any amendment which will make this more simply and more purely a transmission power Bill than it is, I for one would gladly accept it. I do not believe that language can be used to make it more clearly and purely a transmission Bill, I do not think any other language can be used which would more surely prevent it from being a Bill for the generation of electrical energy or for the construction of any works for generating electricity; it is purely and simply a power transmission Bill. But if any amendment would make it so more clearly than the language which is used, I would support such an amendment. But, perhaps, that may not now be necessary in view of the amendment of the leader of the opposition, to which I have no objection.

Mr. ARMSTRONG. Let me call the attention of the Minister of Railways to the fact that the chairman of the Hydro-Electric Commission, in the strongest terms has protested against this measure. At the same time he has presented facts to show that the town of Brockville and the district about it has been thoroughly investigated, engineers have gone over that road twice, and are prepared to furnish these municipalities with power in the near future. He distinctly says that the municipalities in eastern Ontario have applied for power to the Hydro-Electric Commission, as appears by the following list:

Municipalities in eastern Ontario who have applied for power to the Hydro-Electric Power Commission.

Amount asked for by the municipality.

Kingston, 2,500 H.P.; Belleville, 3,200 H.P.; Deseronto, 300 H.P.; Brockville, 500 to 1,000 H.P.; Oshawa, 500 H.P.; Cobourg, 900 H.P.; Bowmanville, 600 H.P.; Port Hope, Whitby and Picton, 500 H.P., no price quoted yet; Durham, 2,000 H.P., no price quoted yet. Prescott and Napanee asked to be quoted on power, but no specific amount.

The minister must recognize this fact as well, that the Hydro-Electric Power Commission had the second and fourth reports of water-power prepared, and the territory covered by these reports lies between Toronto and Brockville.

Mr. GRAHAM. My hon. friend asked me a question a moment ago, which I did not answer, because I was called out. I know the complete history of the negotiations with Brockville. I repeat that so far as Brockville is concerned, there never was any serious attempt by the Hydro-Electric Commission to give them one ounce of power. Some letters were written, from which no result came. I think if my hon. friend will investigate, he will find that by the action of the legislature, no provision was made during last session for any power in this part of Ontario, but for the west. However, I repeat the assertion, that no serious attempt was ever made by the chairman of the Hydro-Electric Commission to give Brockville power, though one or two letters were written.

Mr. ARMSTRONG. I do not know what the hon. gentleman means by serious attempt. The hon. gentleman knows that the fourth report was published in 1907, and in that report it is definitely stated, under the heading: 'Power conditions in the St. Lawrence river district,' that Brockville with a population of 9,000 used an average horse-power of 900; Cornwall with a population of 7,600, used 4,485 horse-power; Iroquois, with a population of 1,200, used 85 horse-power; Gananoque, with a population of 4,000, used 900 horse-power, and so on. I have a letter from the chairman of the Hydro-Electric Commission stating in the most emphatic language, that it is their purpose, just as early as possible, to establish the power transmission lines asked for, and have the people and municipalities in that district supplied with electric energy. He says in a letter to me:

We expect to continue the Niagara line east probably as far as Brockville or even Prescott

and Cornwall, supplying the power from the Niagara in as far as economical, probably to Port Hope or Cobourg, the supply to be augmented at the Trent river, unless all the power of the Trent is absorbed by private companies in the meantime, and from some point farther east. Eventually we would have a continuous high voltage transmission system from Windsor in the west to Cornwall in the east.

We had little difficulty in getting power at a low price at Niagara Falls, viz., $9, as the province controls the developments there, but we will be helpless in the east if the development companies and transmission companies are operating under Dominion charters.

Now that is a most emphatic statement, and the minister knows full well that if these companies get Dominion charters, it will be practically impossible for the Hydro-Electric Commission to obtain that power from the St. Lawrence or from other water-powers.

One member suggested that the company should be compelled to sell power in Canada at the same price as they intend selling over in the United States. There is such a clause in the agreements with the companies at the Falls, and if we had not the drastic power that we have to expropriate, &c., we would not be buying power at $9, as the companies on the American side have an arrangement amongst themselves not to sell power for less than $18.

The minister knows full well that in the Ottawa district, where the Hydro-Electric Commission have control of the powers, they have had a profit of over $23,000 on the right side of the ledger, after deducting the charges of building the transmission lines here. As to the cost of power, I might read a little further from this letter:

There are three things that go to make up the cost of power; power at $9 at the Falls, interest on sinking fund and investment and operation. The price of power is fixed at $9, and all contracts have been let for the building of the line, and the fact that the cost is under the estimates enables me to say definitely that power will be delivered at the estimated cost price.

Yet the hon. member for Carleton (Mr. Carvell) rose in his place the other evening, and told us that the power would cost the municipalities of Ontario two or three times this amount.

Mr. CARVELL. It will be safer to multiply it by four.

Mr. ARMSTRONG. We can easily put the hon. member's (Mr. Carvell's) knowledge of water-powers and transmission lines in a district about which he knows nothing in contrast with that of the man who is at the head of the Hydro-Electric Commission and knows all about it. Mr. Beck says:

The line is capable of transmitting 65,000 horse-power, the contracts amount to less than half this amount, and so you will readily see how the price will drop as the consumption increases. The city of Toronto offers power for ten hours, I understand, at $17.85 per horse-power.

One of the most serious matters in connection with the St. Lawrence power development, and the building of a dam in this country is the fact that Canada practically loses control of the St. Lawrence river as a navigable stream. The channel is diverted to the American side where locks are to be built, but not on the Canadian side.

The Minister of Railways and Canals referred to the maps that are before us. It was my privilege to investigate some of the other maps which I do not see here to-night, and which were in charge of the clerk. On one of these maps I noticed it was indicated that there would be on the American side of the boundary line 50 turbines, while on the Canadian side there would be only 11 turbines. And, taking into consideration the fact that the people of Canada can have no control over the laws of the state of New York, it would be absurd for us to expect that we should be able to compel an American company to transmit a portion of that power to Canada for the development of our industries. Let me read further from this letter:

The territory covered by these reports lies between Toronto and Brockville. Eleven municipalities in the territory have asked for estimates and negotiated with the commission for a supply of power, and others are about to apply.

If the Minister of Railways and Canals (Mr. Graham) was not aware of this fact, it is time he should be.

The object of the Hydro-Electric Power Commission is to supply power at cost to as many municipalities as possible, and the commission propose to provide a supply of power for all municipalities that can be advantageously served.

If the Bill is passed, the company would have authority to transmit power into a large section of the territory to be supplied by the commission, and a dual system of transmission lines would be the result. The commission has always considered that where municipalities are prepared to co-operate and so increase the demand for power from one source a dual system is a hindrance to municipalities in the working out of their plans, and such a system should not be encouraged.

After these emphatic statements by the chairman of the Hydro-Electric Commission of Ontario, directly opposed to this measure, after the statement of the chairman of the International Waterways Commission, of the Board of Trade of Montreal, of the Harbour Commissioners of Montreal, of the provincial government of Ontario, and of practically all the navigation companies whose vessels ply on this

river St. Lawrence, I cannot but feel that we are taking a step in the wrong direction in allowing this measure to pass at the present time. I sincerely hope it will be left over for another session to make a thorough investigation and see if it is not possible to have the provincial government of Ontario in control of this water-power.

Mr. EMMERSON. Perhaps I shall be pardoned if I participate a little in this post mortem examination with respect to this Bill. I think it will be in the memory of every member of this committee that when this Bill was first committed to this Committee of the Whole the objection raised to it was largely upon the ground of it being an infringement of provincial rights and an interference with the Hydro-Electric Commission of Ontario. Up to that point, I had not offered any suggestions to the committee with respect to the Bill. But, some information being in my possession at the time, I thought it was due to the committee that I should call the attention of hon. members to what I conceived to be a very much stronger objection to the acceptance of this Bill. I believed that this Bill (No. 115) was but a preliminary to another Bill that was to be introduced in parliament at this very session giving certain powers in connection with the damming of the River St. Lawrence. And, conceiving such a proposition to be against the best interests of Canada, I felt that the time had come to raise objection. My hon. friend the Minister of Public Works (Mr Pugsley) is quite correct in stating that he called my attention to the fact that it would not be necessary for any company to come to parliament to seek the power to dam the St. Lawrence, because that power was already granted them by Act of this parliament passed some years ago, a fact with which he was familiar, because there had recently come before him certain plans for approval, plans which could only come before him under authority of some Act, and under that Act the approval of the government was sought for these plans. I then, as I conceived it to be my duty, called the attention of the committee to the fact that this, after all, was a grand scheme to secure, in the interest of foreign capitalists, the water-powers that properly belonged to Canada. I think I mentioned on that occasion that by reason of the dam that would necessarily be constructed, ninety per cent of the flow of water would be thrown on the American side. My hon. friend the Minister of Public Works very properly said that that would be safeguarded, that there would be restrictions as to the use of this power, and that care would be taken that Canada's interests should be safeguarded and that at least half the power would be secured for Canadian industries. Well, it is one thing to make such a proposition, and it is another thing to carry it out; I think I said that, while you might have an arrangement, agreements and contracts, still it would be a matter of practical impossibility to enforce them. I objected to this Bill on the ground that it was part of a scheme to dam the St. Lawrence and secure for a great American corporation the water privileges of the St. Lawrence. I was not in full possession of the facts, but I said it was worthy of the consideration of this committee and of the House and of the people of Canada, and that we should wait in order that we might inquire and learn the facts. I have felt that much good was done by reason of the action which was taken in connection with this particular Bill, and I am the more convinced of it from what has transpired here to-night. The promoter of the Bill has proposed a certain amendment, and there are certain other amendments which have been suggested, all of which I hope will be adopted. If any or all of these amendments are adopted, I think the House and the country can recognize that the sting has been taken out of the mouth and the rattle out of the tail of the rattle snake, and it does not now have even the semblance of a rattle snake. I have not been convinced of the necessity of a transmission-of-power line. I view the matter from this standpoint that with the power that has been developed there, with the power available for distribution, the company which developed that power has authority to transmit and to distribute, and I do not see the necessity of any new company being empowered by this parliament to distribute that power. The very first thing that convinced me that this was a part of a great scheme was the reading of part of section 6 where it says:

> Lay and maintain pipes, cables, wires or other conductors and connect them with similar lines in other provinces and with similar lines in the United States for the purpose of importation only.

If this was a mere little innocent transmission power company to distribute the power being developed on the Canadian side, I cannot conceive of their coming to this parliament and asking for power to connect with lines in the United States, and it is because of the wording of the Bill that I was led to conclude that this Bill was part of a greater scheme and one that would be to the injury of Canada. I am confirmed in the belief that it was such a scheme, but having in every way divested it of its power to do harm I am perfectly satisfied. The objection taken by me on a former occasion has, I think, been sustained and acknowledged and removed as far as it is possible to remedy legislation in that direction if you pass the Bill at all. The Minister of Railways has very fairly

made a plea in the interests of his constituency that some company shall be empowered to transmit the power that is already being developed. That is a question of fact as to the conditions prevailing. I am not in a position to judge of that; those representing St. Lawrence constituencies must be the best judges, and as the matter now stands I would feel free to support a harmless power transmission company. But I would not feel free to support any measure that would involve this country in conditions which prevail in some other sections of Canada to-day, by reason of the legislation of this parliament, as for example the conditions that are cropping up at Fort Frances. These things we must guard against and I think we have guarded against them in this particular case. As the matter now stands, I feel at liberty with the amendments which have been suggested to support the Bill.

Mr. J. D. REID. One reason why I submit the Bill should not go through is that it is admitted that the gentlemen who are in this company are to purchase the power from the St. Lawrence Power Company and then they will sell it to the towns of Prescott and Brockville, the Railway Commission having the right to fix the rates at which the transmission company sell to these towns. But the commission cannot regulate the rates at which it shall be sold by the power company to the transmission company and the transmission company have a capital of $200,000. The line will not cost $25,000 and they will make the people pay a dividend on a lot of watered stock and a double profit. If the Minister of Railways and Canals is so anxious, as I believe he is, to get power to Brockville, it has been argued here that the St. Lawrence Power Company now have power to run a transmission line to Brockville. If he will say to this company: Run your transmission line to Brockville at once or otherwise I will cancel your contract, that line would be built. We are paying $52,000 a year to that company for 400 horse-power to open and shut the gates and are not using more than 45 horse-power. We pay $63 a horse-power, and when the government confirmed that contract in October, 1900, just before the elections, the company were selling power at Cornwall at $12.50 a horse-power. That contract for 400 horse-power is for 89 years. The present Minister of Justice, on the application of the Auditor General, gave an opinion saying possibly the making of this contract was a distinct infraction of section 11 of the Act respecting the Department of Railways and Canals, Revised Statutes of Canada, ch. 37, which says:

> The minister shall invite tenders by public advertisement for the execution of all works except in cases of pressing emergency in which delay would be injurious to the public interest or in which the nature of the work it can be more expeditiously and economically executed by the officers and servants of the minister.

The contract they have is illegal, and it was in 1900 that this government amended the old contract. The late minister, Mr. Blair, amended and extended it. If the Minister of Railways thinks that this Bill would do that then where we would have the advantage of getting cheaper power would be that the Railway Commission would deal with the St. Lawrence Power Company. Supposing this transmission company that is being formed, say: We have to pay the St. Lawrence Power Company $20 or $25 per horse-power, and we are only asking $2 to $3 per horse-power more; nobody could object to that. I cannot see where we are going to get any benefit from the clause in this Bill which says that the Railway Commission shall be referred to. Now, it has been admitted that this power is to come from the St. Lawrence Power Company. The men who are the incorporators of this transmission line company went to the Waterways Commission in Toronto and told them that they were getting this Bill passed, that they proposed to dam the St. Lawrence and they claimed that the damming of the St. Lawrence should be carried out in order that they might get this power. I appeal, in the interests of Brockville and Prescott, to the Minister of Railways, to make the St. Lawrence Power Company send that power up there. Then we will not have to deal with any middle company that we have no control over, and we can then insist that they shall give us a reasonable rate. I do not think that under the Railway Act we can get cheap power from the Railway Commission, but if they were not giving us a reasonable rate we could come to parliament and ask that the Bill be amended, so as to provide that the Board of Railway Commissioners could regulate the rate.

Mr. EMMERSON. Under the Act of 1901, relating to the St. Lawrence Power Company, have they to submit their charges for power to the Railway Commission, or to anybody?

Mr. J. D. REID. To no one at all. That is the point I raise. How are we going to get cheaper power under this transmission Bill? The St. Lawrence Power Company will say to those in this new company: We will put the price at $25 or $30 per horse-power, or whatever we like, and the only redress we have, if they are charging too much, is to ask the Railway Commissioners to regulate the price between this company and the other.

Mr. EMMERSON. Under this Act this company would have to submit their rates

for transmission to the Railway Commission, would they not?

Mr. J. D. REID. This company will, but it is the first company that is the main one, and that is the lame feature of this Bill. If there was the slightest doubt about the association of this company with the St. Lawrence Power Company, which I do not think there is, there might be some reason for it. I submit that this matter is so important that it should be laid over to give us a chance to get these things right, and not try to push it through in this way.

Mr. TURRIFF. When I opposed this Bill before I did so because I could not understand why the St. Lawrence Power Company should come to parliament now and get a transmission line. There were very good grounds for being suspicious of the Bill because of the way in which it was introduced. The Bill certainly has been shorn of some of the powers that they asked for when they came before this House. But, I am not at all clear in my own mind up to the present whether there is not still, if I may use the expression, a nigger in the fence. The amendment proposed by the gentleman who promotes this Bill (Mr. Pardee), the statement made by the right hon. the Prime Minister (Sir Wilfrid Laurier) and the amendment proposed by the hon. leader of the opposition (Mr. R. L. Borden) go a long way towards cutting out anything that may be wrong in the Bill, but at the same time what puzzles me is why, with the powers that they have under the Bill of 1901, if it is only a transmission line they want, they come before the House to-day with this Bill even in its present shape. The only point I can see wherein this Bill gives them some advantage that they do not possess under the old Bill is with respect to the right to acquire electrical energy. It seems to me that their object could be accomplished by amending the Bill of 1901 to enable them not only to generate electricity, but to acquire it from other private power companies existing in different parts of the country. They have the right to transmit under their original Bill. I think, Mr. Chairman, that it has been a good thing that all this opposition has been raised. I think it was a first rate thing that we had an all-night session over this Bill. It has done one thing. It has aroused the people of Canada to the importance of the legislation that was passed by this House in 1901. I did not happen to be a member at that time. If I had been a member I would not have known any more of what that Bill meant than most of those who were in the House at that time.

Mr. PUGSLEY. Was it passed late at night?

Mr. EMMERSON.

Mr. TURRIFF. No, but the Bill was like a great many Bills that go through this House almost every day; the average member of the House knows mighty little about the real meaning of them. Had the members of this House, and the people of Canada realized what was being done by the Act of 1901 there would have been a howl from one end of the Dominion to the other. But, fortunately for us that Act is not all sufficient. Fortunately for the people of Canada, and this House the owners of that franchise have to come back and get their plans approved by the Minister of Public Works before they can go on and dam the River St. Lawrence. That has been our safeguard. I think that the thorough discussion—I will not say thorough discussion, because I do not know yet whether it has been thorough or not—but the long discussion that we have had over the matter has awakened us to what might easily and innocently have been done by any minister of the Crown in approving plans without realizing exactly what they mean. The water-power at the Long Sault dam is a heritage for the people of Canada. It is not our heritage at the present moment, but it may be a heritage for our children, our grandchildren, and our great grandchildren. We do not want that power at the present time in Canada. For every horse-power that can be used within a reasonable distance of the Long Sault rapids there are to-day fifty horse-power that can be developed without going to the St. Lawrence river, which is an international stream.

Another thing we want to be very careful about is accepting engineers' reports. Take the case of the water-power at Fort Frances, the facts regarding which have been made public. In that case the engineer was a man named Fanning, of whom I have heard for the last 15 years as the very first authority on hydraulic engineering in America. When Mackenzie and Mann established their large electrical power 60 or 70 miles east of Winnipeg on the Winnipeg river, they got this man to report to them before they took action. Now, what did Mr. Fanning do in this case? The promoter of the company, Mr. Backus, and the president of the company, went to the Ontario government with a report from this engineer that only 9,000 horse-power could be developed at Fort Frances, and they got the government to agree to the scheme on condition that 4,000 horse-power should be delivered on the Canadian side and the balance on the American side. But within a few months that same engineer gave a report that from 36,000 to 38,000 horse-power could be developed at Fort Frances, and the result was that 4,000 horse-power was to be used at Fort Frances and the balance of 34,000 horse-power on the American side. That shows how care-

ful we ought to be about engineers' reports before giving away franchises which we have no right to give away. I was delighted to hear the words of the Prime Minister to-night, and I agree with him that we should not at the present time give over this St. Lawrence power to a Canadian company, let alone to an American company, at any price they might pay to the state of New York for that privilege of damming the St. Lawrence on the American side. I can tell you, Sir, that their object is not, as they have stated to this House, to build up towns on the American and Canadian side of the rapids in the St. Lawrence. I happen to know that four or five months ago engineers came from New York to Ottawa to see what arrangements could be made for the securing of power in this vicinity, because they were not absolutely certain whether this thing would go through or not, and these engineers made the statement that the power could be transmitted from the Long Sault to the state of New York commercially. When you remember that from 600,000 to 800,000 horse-power can be developed there, look at what it would mean to them if they could export that power to New York city. Does any one believe for a moment that if that dam were built and if from 300,000 to 600,000 horse-power were developed now, and we could not use it (as we could not at the present time) that that power would not be sent to the United States. And does any one believe for a moment that if that power were sent into the United States we would ever get it back. At Niagara, in proportion to the water on each side of the boundary, the Americans get double as much power as they are entitled to. For ten years the town of Fort Frances has been engaged in lawsuits with this American company which owns the franchise. One of the chief promoters of the St. Lawrence power stated in the city of Montreal that they had to have it and they were going to have it, and that when the power was developed they would give the Canadians 90 days in which to take the power, and if they did not take it then it would be sold in the United States. Well, I think he spoke a little too soon; I believe the people of Canada realize or are beginning to realize something of the value of that power and of their rights in the matter, and that they will not think of allowing any company, Canadian or American, more especially a foreign company, to dam the St. Lawrence right at the point where it becomes a Canadian river altogether. The St. Lawrence is one of the greatest rivers on the earth; it is a canal extending 1,000 miles right into the heart of the country, and if we allow that river to be dammed we do not know what we may be doing to impede navigation. One of the best engineers in Canada told me that no man could tell at the present time what the effect of such a dam would be. He told me that some 50 years ago there was a small dam 12 feet high on the Mississippi near Almonte, and an ice jam raised the water 40 feet, with the result that the dam went out and every dam and every mill between that and the Ottawa river was swept away. If the same thing should occur on the river St. Lawrence the result might be appalling. But leaving all that aside it is too big a matter to allow any American company to control. I am no believer in government ownership in most cases, but this is a case where we have an international river where complications are apt to arise, and if the time ever comes—the time has not come yet and it will not come for a good while—when the water-power on that river should be developed in the interests of Canada it ought to be a matter for the Dominion and American governments to engage in themselves and not transfer the doing of it to any company of American speculators. There has been a great deal of time spent in discussing this Bill, but the time has been well spent, and not a minute of it has been wasted. I think now that the government will realize how inadvisable it would be for them in the near future to approve of plans for damming the St. Lawrence. After what I have heard in discussing this matter with prominent men, I believe that no government would last a month that would allow the great St. Lawrence river to be dammed and controlled by an American company of speculators.

Mr. HUGHES. I have to congratulate the government on its splendid attendance to-night. The Minister of Customs is absent, the Minister of Marine and Fisheries is unfortunately absent, but every other Minister of the Crown is in his place to-night, I presume in the interest of this Bill. This shows the result of the opposition which was engendered against this Bill in the Private Bills Committee led by the members from Grenville and Dundas, and the member for North Ontario.

Sir WILFRID LAURIER. And the member for Victoria.

Mr. HUGHES. I have not the honour of being a member of the Private Bills Committee, or otherwise I certainly would be in the swim.

Mr. J. D. REID. I was not a member of that committee either, and they tried to shut me off, but they could not do it.

Mr. HUGHES. The Prime Minister is just commencing to realize the importance of this Bill, and I am satisfied that if he postponed it for a week he would get more

light on it. Will the First Minister consent to that?

Sir WILFRID LAURIER. Is the hon. gentleman not disposed to accept the amendment of the leader of the opposition?

Mr. J. D. REID. Oh, there are other amendments.

Mr. HUGHES. It was admitted by the Minister of Public Works on the 14th of March, that the St. Lawrence Power Company and the St. Lawrence Transmission Company, are one and the same. The two of them are owned and controlled by the Long Sault Construction Company. I believe that if we pass this innocent looking Transmission Bill we will be passing a very dangerous measure to the welfare of Canada. This company has not the power to expropriate under the Bill of 1901, and that is what they want now, and that would make them masters of the situation. The danger of damming the St. Lawrence cannot be overestimated. I saw some gentlemen on the government side, who are more accustomed to windmills than to water-power machines, smiling when the hon. member for Assinaboia spoke of the danger that the damming of the St. Lawrence would cause by the jamming of ice. Ice jams on the St. Lawrence have sometimes risen forty or fifty feet, and have cut off trees two feet thick, and when the jam has broken a great deal of damage has been done. We must consider the nature of the country. The Ottawa and New York railway bridge has gone down twice owing to defective foundations. There are veins of quicksand in the river. Only last fall the bridge just above Cornwall tumbled down. The proposed dam would be about four miles above Cornwall. The lowest estimate of its height is from forty-seven to forty-eight feet, and the general opinion is that it is proposed to make it fifty-six feet high. Let it extend from Barnard's island to the Long Sault island, and there is no telling what injury would result. Even if there should be no ice jam, the top of the dam would be nine feet higher than the Cornwall station, over forty feet higher than the city of Cornwall, and fifty feet higher than the banks of the river at Cornwall. Then, in case an ice jam occurred, and the ice piled up thirty or forty feet, the valley of the river would be flooded, causing a great deal of damage. If the dam should break, as other dams have done, it is impossible to tell what extent of damage would be the result. I wish to refer to an article which I find in the Brockville Evening 'Recorder,' of March 24. I do not know what the object of the Minister of Railways and Canals was in publishing this article in his paper unless it was to draw a red herring over the trail. I am satisfied that the members of the opposition who fought this measure when it was last before this House are deserving of the thanks of the country for the work they did at that time. This article is headed, 'Deceiving the Public,' and says:

Whether the object is to deceive the public or not, the result of the objection made to allowing Brockville to be reached by a transmission line apparently has had that effect.

Undoubtedly the object of the editor of this paper is to deceive the people of Brockville as to the real issue. The article goes on:

Why R. L. Borden, leader of the opposition at Ottawa, and practically every man behind him, should join in the clamour to deprive this section of Ontario, and particularly Brockville, of the first opportunity it has had of getting cheap power is something no one can understand. Personally, Mr. Borden knows absolutely nothing of the situation, and has not apparently taken any pains to inform himself as to what the conditions are, for if he really knew, one cannot think he would have taken the position he did in trying even to keep Brockville from getting a transmission line.

Compare that paragraph with the statement made by the First Minister to-night that the opposition were justified and have done the country a good service in pointing out the iniquity of this power company Act of 1901, and the iniquity of this Bill as presented in its early stages. Who was preventing Brockville from getting electrical power? Nearer to Brockville than the Long Sault rapids are magnificent water-powers available for less money than this company will sell power to Brockville for. All the water-powers around Ottawa are nearer to Brockville than the Long Sault rapids, a fact of which the editor of this paper is perhaps not aware; and we have the evidence presented to-night by the hon. member for Grenville (Mr. Reid) that the companies along the St. Lawrence river have again and again offered Brockville and Prescott a thousand horse-power of water-power which they were seeking. This article goes on to say:

No one is surprised at Hon. Adam Beck using his influence in preventing any municipality in Ontario getting power except through the Hydro-Electric, as he has a direct personal interest in keeping all and sundry beneath his thumb and within his jurisdiction.

I am not here to defend the Hydro-Electric Power Commission of the province of Ontario; but I want to say that if that commission were seeking the authority that the St. Lawrence Power Company and the St. Lawrence Power Transmission Company are seeking, I would oppose it as determinedly as I am doing here. We want to preserve the St. Lawrence river free to

the navigation of the world. Further on this article says:

The damming of the St. Lawrence is a very large project, and one of not only national but international importance, and the discussion of it should be approached with the utmost seriousness, but the granting of a charter for a transmission line is altogether a different proposition, and the attempt to hold it up for fear it was giving some rights to dam the St. Lawrence is altogether unwarranted.

Yet we have the hon. member for West Lambton, the father or god-father of this Bill, and the First Minister presenting an amendment to the Bill, which practically admits that the two companies are one and are working hand in hand. The First Minister has admitted that the St. Lawrence Power Company had authority to dam the St. Lawrence river provided they got an order in council, and by the amendment of that Bill, the hon. member for West Lambton admits that the two Bills are one and the same.

The big project of harnessing the Soo will no doubt be discussed in due time and in the proper place when parliament, as promised by Sir Wilfrid, will have full opportunity of dealing with it.

That is in the atmosphere, is it, that the St. Lawrence river is to be dammed? That is one of the future considerations that is evidently up the sleeve of certain hon. gentlemen on the other side. The Minister of Railways and Canals frankly tells us that that is the project. I presume a marked copy of this paper was sent to the Long Sault Construction Company, to assure them that if they are thrown down on the present occasion, they will have to make a few concessions, owing to this iniquitous opposition in the House of Commons. Why, all you have to do, gentlemen, is to trust us in the future, this is only the beginning of justice, and we will see that you get your rewards if you just keep quiet and wait a little while longer.

What the people of this vicinity want just now is a transmission line over which they can get power from some source.

Why this sudden interest in the transmission line? When did we ever hear the Minister of Railways and Canals becoming interested in transmission lines until the St. Lawrence Power Transmission Company came along? Why did not the men of Brockville harness the Chats rapids, or some of those Ottawa powers, and have a transmission line run to Brockville? He shows a very unique interest in this St. Lawrence Power Transmission Company's Bill.

There is a power development at Iroquois under Dominion control; there is power to be developed at Waddington, N.Y., which has for many years been on the tapis. There is also power at Massena. But the attitude of the opposition at Ottawa, and of Mr. Beck at Toronto, is that we must not be allowed to have a line over which we could use it in case power can be got from any of these.

I stand here to state that that is not the attitude of the opposition at Ottawa. Our attitude is that any proper transmission scheme that is presented to this House will have the entire support of every member of the opposition. But when a scheme come along that is admitted by the Minister of Public Works, admitted by the First Minister, and admitted by the promoter of the Bill in his amendment, to be hand and glove with the Bill to dam the St. Lawrence, when a scheme like that is brought into this House, then it is the duty of every member of the opposition, and of every honest man on the government side, to oppose it.

In addition there is some surplus power to be developed at the present works at Cornwall that might be obtained.

How cleverly the attempt is made to conceal the real object of the Bill! They are telling the people of Brockville: 'Here we are at Ottawa, sitting up nights, five ministers of the Crown sitting up to daylight, pushing through a private Bill in order to give the poor people of Brockville some electric power, and the terrible opposition, led by this terrible man, Mr. Borden, are trying to prevent the people of Brockville from getting what they want.' They pretend that they can get power from Iroquois, when the whole cunningly devised scheme is to give to this St. Lawrence Power Company the one great privilege they seek, namely, power to expropriate property for their transmission line, and once they get that, they can go wherever they choose. And here let me point out to the hon. member for West Lambton, what his statement says:

Nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

But there is no provision to prevent them transmitting power generated by the Long Sault Construction Company, and that is the company which owns all these works. So that even if the amendment of the hon. member for West Lambton were carried, I maintain that this company could still go on, unless it were harnessed up by the amendment of the leader of the opposition, in other words, unless we practically amended the Act of 1901 by forbidding that a dam should ever be constructed without another Bill passing through parliament for that purpose. True, the amendment is innocently worded, but there has been so much clever, technical and legal scheming and quibbling in connection with this mat-

ter, that we are justified in looking at it from every point of view, and I maintain that if this amendment goes through, while extra electricity from the St. Lawrence Power Co. might not be passed over this transmission company's line, there is not a word in that Act to prevent power from the Long Sault Construction Company being passed over that line. Therefore, unless the amendment proposed by the leader of the opposition should be put into shape so as practically to cancel the power given in 1901 to dam the St. Lawrence, there is nothing to prevent the whole iniquity still being carried out to the letter. Therefore, I would again urge on the First Minister the advisability of letting this thing stand over for a week, until we can look into it and get to the bottom of the matter, now that both sides of the House and the country are thoroughly aroused to the tremendous steal that is attempted to be perpetrated here in the name of development along the St. Lawrence river. Then this article goes on to say:

But Mr. Borden and Mr. Beck say 'No, we must have no transmission line to get power from any of these, for fear in the future the granting of this charter might have some influence on the proposition to dam the St. Lawrence.' It is all very well for Mr. Beck (who is using the whole financial backing of Ontario, to give the people in Toronto and west power) to be quite contented with himself, but his attitude is grossly unfair to the people of the eastern part of Ontario. He nas never made any serious effort to give them power; he has no power to give them. If he did (and he is too busy anyway attending to western Ontario) he has asked nothing in the estimates this year to provide power in the east, and his talk just now is merely a bluff, as it was before, in order to keep everybody else out of this territory until such times as it pleases him to come down this way. In the meantime Brockville and her sister towns are losing the opportunity of getting industries that might come this way if we could get the power, and they are also having a hard time holding the industries they have.

All that under the administration of the First Minister, and of the Minister of Railways and Canals. Where are these industries going if they are now having a hard time? That is a new aspect in which to regard too rosy a picture of the success of these towns that was painted for us.

Granting a charter to the transmission line as asked for does not give anybody any further power than they now enjoy.

Well, that is contradicted by the First Minister himself, and by the proposed amendment of the hon. member for West Lambton, as well as by arguments put up on this side of the House.

It does not extend the rights of anybody, but it merely gives the people of this part of Ontario a chance of going about hunting for power in a practical way. If this line is constructed we will be able to say to anybody who has power, 'Sell us power, and there is a company who has the right to transmit it.' If the power cannot be obtained that will be the misfortune of Brockville and other towns; but if it can be obtained, why should the people be deprived of that which could be of such benefit to them, merely on account of selfishness or other reasons not obvious to the ordinary individual.

We find, not only in this paper, but in other papers, and on the part of other persons, an attempt made to blind the public to the real issues in the case. We might as well come down to the fact that the St. Lawrence Power Company's Bill was smuggled through this parliament—schemed through. Some person behind it knew all about it. Of course, every member of parliament who was here at that time, is indirectly responsible. But somebody was behind the scheme. I exonerate the Minister of Public Works (Mr. Pugsley) because he was not then a member of this House But though the scheme was smuggled through, it was inoperative to a certain extent, because the company had not powers of expropriation. Under this Bill, as it was introduced, tremendous powers were to be given to these parties. And, in spite of all the amendments, the Bill is evidently dangerous, and opportunity should be given for the elimination of the danger. We require time to consider this and to get the best legal talent of this country to consider it. The Prime Minister may or may not be aware that some gentlemen eminent at the bar of the province of Quebec, have considered this Bill. It was an eminent lawyer of Montreal, I believe, who first pointed out that under the Act of 1901, the company had power to dam the St. Lawrence. The Minister of Public Works endeavoured to conceal that the other evening, but the Prime Minister came out frankly and declared that the company had this power. Now, we have made progress with this Bill. The First Minister will admit that we have made progress by allowing this Bill to stand over after fighting it a whole day. Let me suggest to the Prime Minister that he will make progress by holding it over for another week. Let us look into the matter.

Mr. BRODER. I think this is a question that ought to be thoroughly looked into before any definite action is taken. I was glad to hear the leader of the House (Sir Wilfrid Laurier) make the statements he did with regard to his opinion and his probable action as to any future attempt to dam the St. Lawrence river. A good deal was said about the great necessity of bringing power to the town of Brockville. I know of my own knowledge, that the people of the town of Brockville, have been approached within the last twelve months with a very reasonable proposition for the

supply of power and they were not, apparently, very anxious to afford a market to this power developed at the town of Iroquois. Mr. Beach, of Iroquois, has developed on the canal there, under lease from the federal government, 500 horse-power, and has foundations in for three more units which would make a full development of 2,000 horse-power. That is available to Brockville, and the point at which it is developed is 33 miles nearer to Brockville than the proposed electrical power at Cornwall, and which they are so anxious to get. In other words, it would require a transmission line of only 26 miles to deliver this power in Brockville, and that could be built for about $16,000. I know that Mr. Beach offered power within the last two months,—I do not say to Brockville—at $16 per horse-power for 24 hours. That is pretty cheap power. It will be equal to $8 for 12-hour horse-power.

Mr. PARDEE. What would it cost in Brockville?

Mr. BRODER. The transmission line would cost somewhere about $15,000. So, this great cry about Brockville wanting a transmission line to get power does not seem so important. I understand there is not a horse-power available at Cornwall without further development, but that it is possible, at Mille Roches, to put in more units and develop more power at once. I believe they have that right, subject to federal authority. They are not allowed to increase the current in the canal to affect navigation, but I understand that at the present time they have not another horse-power to spare. Within the last year and a half the president wrote to the people applying for power that he had not a horse-power to spare. I am giving here what I understand to be facts, but I do not know them of my own personal knowledge. I would suggest, as this question has resolved itself into a legal question—for it is a question as to the effect of this Bill coupled with the other Bill—the Prime Minister should allow time for further consideration. I do not have the privilege of suggesting to him many things, but I would suggest to him now that this matter should be referred to a special committee of legal gentlemen who would settle on the effect of this Bill coupled with the other. There are things in this Bill which I would be obliged to object to. For instance, they propose to get the right of way by securing easements. That is, they will go to a farmer and get a few square feet to erect a tower. But this means ingress and egress.

Mr. CONMEE. Is not that what the Ontario Hydro-Electric is doing?

Mr. BRODER. The hon. member objects to that with them, yet he approves it in this case.

Mr. CONMEE. No, I do not.

Mr. BRODER. I am glad to hear that.

Mr. PARDEE. They have to get the fee simple.

Mr. BRODER. That does not necessarily follow. It may be said that, if any damage is done, the owner can collect damages. But is an ordinary farmer to sue a twenty million dollar company? No, it would be better for him to suffer injury. We know that lawsuits have been carried on in the city of Montreal to define the rights of the company in this very question. This is a point that should be properly guarded. I do not think that a company supposed to represent millions of money should get these rights to deal with private interests, to ride over the people rough-shod, and leave the ordinary man to fight for his rights against such odds. Another thing: take these towns along the front, Iroquois, Morrisburg, Cornwall and others, and they all get water out of the rapids of that river. Perhaps the best water in this country is found in these towns. But the moment you dam that river you destroy the right that these people——

Mr. CONMEE. There is no provision in this Bill for a dam.

Mr. BRODER. My hon. friend had a good deal of experience in damming the water or proposing to dam the water. The point is that they have that power under another Bill and the two Bills coupled together give them all they want unless we are very careful as to the provisions in this Bill. It may not be generally known that the water shed between the St. Lawrence and Ottawa rivers which are about 60 miles apart is only three miles from the St. Lawrence in my locality. Within three miles of Morrisburg, you will find the watershed and from that point northward the waters come down to the Ottawa river. It is not a high water shed and if the water should be raised by an ice jam for instance over that water shed it would have to sweep clear through to the Ottawa in order to find an outlet. These are questions that the ordinary man should not be called upon to settle. People competent to know what they mean should look into these things before powers are given to any company that would in the least have the effect of damming the St. Lawrence. I would suggst that this Bill be referred to a committee of that sort to settle on the legal effect of these two Bills taken together. There is an apprehension in the minds of many members and of the people that some risk is involved in permitting this legislation.

Mr. S. SHARPE. I think every objection that has been raised here was raised in the Private Bills Committee. True as

the Bill was first framed it asked comprehensive expropriation powers. But the promoters said all they wanted was a transmission line and the Bill came to the House in its present form, having nothing to do with the damming of the St. Lawrence river, but it was contended that it was adding to the powers granted by the Bill of 1901, it was supplementary to that Bill. There were many objections to the Bill of 1901, and it has been truly said, that that Bill would not pass the committee as it 'stands to-day.' Many grave objections to it were raised and consequently the position of members on this side was that no power should be added to the powers granted by the Bill of 1901. Then the position of the government should be to negotiate with the company if they come here asking additional powers and privileges; the government should ask them to forego some of the rights contained in the Bill of 1901 which undoubtedly gives the company the right to dam the St. Lawrence to the centre of the international stream. If that is an improper power to confer on the company, would it not be reasonable for the government to say: If you want a transmission line with comprehensive powers of expropriation forego that right in the Bill of 1901. It is an improper power to confer on any company. It would be reasonable for the government to say to the company if they want additional powers and privileges, under the Transmission Bill that they should submit their rates under the Act of 1901 to the control of the railway board, there being now no control over the rates of the St. Lawrence Power Company under their Act of 1901. No one contends that the Bill as brought to the House conferred any power of damming the St. Lawrence. It was in effect a transmission line, but added to that and gave additional powers to the Act of 1901, and I cannot see how the government can refuse to assume responsibility for this Transmission Bill. The Minister of Railways came to the Private Bills Committee. It is true he tried to divest himself of his official character as a minister and to say he spoke as a private member, he urged the committee to pass the Transmission Bill as it was presented. The Minister of Agriculture at the next sitting lent the support of his influence and presence to the Bill without any serious objection to it in its original form. Any objections to the Bill in the Private Bills Committee emanated from this side. When the Bill came in, in an amended form before the House and was discussed during the all-night session we had the spectacle of four or five ministers sitting all night and giving countenance and support to the Bill. There are ten ministers of the Crown here now, and it is 11 o'clock in the evening. They are sitting here attempting to carry, or I might say force a private Bill through although several members on this side have asked that it stand for a week for further consideration. Very innocent amendments suggested during the all-night session were rejected in a haughty spirit, but we find a different spirit in gentlemen opposite; from the promoter to the premier, and the Finance Minister they all seem in a submissive spirit. I submit that the change of attitude is atogether remarkable when you consider how they refused absolutely any amendment that might be suggested during the all-night session. I think they have had their ears to the ground and have found public sentiment to be altogether opposed to this Bill. As the saying is the coon came down, they have had to surrender to the demands of public opinion and make the Bill as innocent as they can. The Bill cannot possibly be discussed intelligently without a thorough discussion of the amendment offered by the leader of the opposition, the amendment of the sponsor of the Bill and three additional amendments. True the sting has been taken out of the Bill because the plans must be submitted not to the Governor in Council, but to this parliament, giving an assurance of publicity,

That takes a good deal of the sting out of it, because when the plans are submitted to this House the public will know what is going on, and we will understand what the government purposes doing under the Act of 1901, But there are many objectionable features to the Bill besides the objection which has been raised by my hon. friend the leader of the opposition. There are wide powers of expropriation. They are permitted to expropriate the property of the province without the consent of the province, and they are permitted to enter into a municipality without the consent of the municipality. We had a Bill discussed last session known as the Ontario-Michigan Power Bill. One clause that was suggested, and the suggestion was adopted by the hon. member for Rainy River (Mr. Conmee), was that no transmission line should be run through any municipality without the consent of the municipality expressed by by-law. That was a reasonable amendment. Had it not been a reasonable amendment it would not have been put into the Ontario-Michigan Power Bill last session. The opposition desires that such an amendment should be incorporated in this Bill. This Bill is to exploit certain natural resources of the country. Why should that company be allowed, without the consent of the municipality, to enter into that municipality, and why should they have the powers of expropriation granted under the Railway Act? Why should such expropriation powers be given to this private company, operating for private gain and

for the purpose of paying dividends? Why should this company have the power to go into the city of Montreal, expropriate private property, and go upon the streets of the city without the consent of the municipality? True, there have been other objections raised. The fact that it is duplicating the system which is proposed to be inaugurated by the Hydro-Electric Commission is a great objection. Everybody knows that this is only duplicating the work of the Hydro-Electric Commission. I do not desire to argue that phase of the question particularly, but every person knows that the users of electricity will have to pay for two lines. If this private company erect a transmission line the people will have to pay dividends upon the cost of construction, and the water that may be injected into the stock. Under this system the Hydro-Electric Commission, as soon as these municipalities are prepared to co-operate, will erect transmission lines, and develop power for the benefit of the municipalities at cost. Why should the government encourage a transmission line that will duplicate the system of the Hydro-Electric Commission, doubling the expense of the work of the commission, and adding to the burden of the people in the municipalities through which these lines will pass? Why should they hamper and interfere with the policy which has been adopted by the unanimous consent of the people of Ontario, and playing into the hands of a private company as they are doing here? What the members on this side of the House object to particularly is the fact that by adopting this Bill we are giving additional powers to the St. Lawrence Power Company that already possess powers that they should not have. Before you grant additional powers to a transmission line company it would be well to negotiate with the St. Lawrence Power Company, and induce them to forego some of the powers which they obtained clandestinely in 1901. It seems to me an extraordinary thing that the Bill of 1901 should have passed this House without discussion. Some extraordinary influence must have been at work. It must have passed this House when most of the members were absent. I submit that when that company got such extraordinary powers, as those which are set out in the Act of 1901, now is the time, when they come here as suppliants for further favours, for the government to negotiate with them, and get them to forego some of their privileges and powers. There are other phases of this proposition that I desire to discuss, but I presume that the government are not going to have another all-night session in connection with this Bill. I would like to ask the Minister of Public Works what interests outside of the St. Lawrence Power Company have requested the granting of these powers, and the ratification of the plans of that company? Have any public bodies sought to have the St. Lawrence dammed, or asked that further powers and privileges be conferred upon the St. Lawrence Power Company? I understand that the Toronto and Montreal boards of trade, the Marine Association, the navigation interests, the riparian owners, the municipalities, and in fact every public interest have publicly declared against this plan of the St. Lawrence Power Company, and that the only persons seeking these powers are those financially interested in the undertaking. I understand that the civil engineers of Montreal were asked by the International Waterways Commission to suggest the name of an independent engineer to report upon this project, that they met, pronounced against the project, and refused to suggest the name of an engineer to report upon it. It was so much against the public interest that they refused to suggest the name of an engineer to give an independent report upon the project. If all of these interests are so strenuously opposed to the whole proposition why are we being obliged to sit through all night sessions trying to force this Bill through? If there is not some ulterior purpose behind it what is the object of delaying other private legislation? Other private Bills are important. We are holding other private legislation back for the benefit of this company. In addition I desire to point out that there are private members who have Bills on the Order Paper. Every day has been taken by the government. These private Bills are given precedence over public legislation that is introduced by indivual members in the public interest. The public interest is being sacrificed in the interest of private legislation, and the government are attempting to exploit the assets of the provinces for the benefit of a few promoters who come over from the United States. In a return brought down to the House two or three years ago there were contained several engineers' reports which united in condemnation of this whole project. I say that the project is one which should not be countenanced, which should not receive the assent of this House, and that we should not add to the powers, and privileges granted this company under the Act of 1901.

Sir WILFRID LAURIER. I stated earlier in the evening that I could not understand what was the object of the opposition to this Bill. I think that I now understand it. I think that the hon. member for North Ontario (Mr. Sharpe) has let the cat out of the bag. I see now plainly that the opposition to this Bill is because it is supposed that this project is

going to duplicate the lines of the Hydro-Electric Commission.

Mr. S. SHARPE. That is one of the objections.

Sir WILFRID LAURIER. Is that an unworthy object? What has been the object of the Hydro-Electric Commission? Has it not been the duplication of other lines? Was it not to give cheap power to the people of the province? Was that not one of the reasons advanced when this Hydro-Electric Commission was organized? Was it not to provide competing lines, to give the people of Ontario the possibility of having cheaper power, to duplicate lines, and to give the people the choice of not only buying their electrical energy from one company, but from several? If the people of Brockville and of eastern Ontario have that same privilege brought to their doors, if they can procure their power not only from the Hydro-Electric Commission, but also from this new company, where is the harm? This very proposition should receive the commendation and support of my hon. friends opposite. But, I understand their objection. There they are all arrayed against it because they do not want the people of Brockville, or the people along the St. Lawrence to have the privilege of getting their electrical energy from two sources.

Mr. HUGHES. Will the right hon. the First Minister be good enough to tell the House where he got that data?

Sir WILFRID LAUREIR. I got that data from the speech of the hon. member for North Ontario. That is what he said a moment ago. He said that he objected to this company because it was going to duplicate the line of the Hydro-Electric Commission. These were the words of the member for North Ontario. I understand now the reason of the opposition to this Bill. I have asked myself what was the object, now I know it: it is to get a monopoly for the Hydro-Electric Commission. I understand it all now. Well, we shall not have to sit all night to-night, and I am delighted, indeed, that the people of the province of Ontario will now know what was the object of sitting all night the other night, and what is the object of the opposition we have had offered to the Bill to-day. I now move that the committee rise, report progress and ask leave to sit again.

Progress reported.

Mr. HUGHES. When will the Bill be taken up again?

Sir WILFRID LAURIER One hour to-morrow.

On the motion of Sir Wilfrid Laurier the House adjourned at 11.15 p.m.

Sir WILFRID LAURIER.

HOUSE OF COMMONS.

TUESDAY, April 5, 1910.

The SPEAKER took the Chair at Eleven o'clock.

COMMITTEE ON MINES AND MINERALS.

Mr. RALPH SMITH moved:

That the Committee on Mines and Minerals have leave to sit while the House is in session.

Motion agreed to.

Mr. RALPH SMITH moved:

That in view of certain representations made for the passing of an Act for the consolidation of the laws relating to mines, &c., under federal control, the question of such consolidation be referred to the Select Standing Committee on Mines and Minerals, with power to report by Bill or otherwise.

Mr. SPROULE. It is rather an unsual proceeding for a committee to bring in a Bill. The function of a committee is to report to the House its conclusions and recommendations. For a committee to go further than that is, I think, rather contrary to the practice of parliament.

Mr. R. L. BORDEN. Let the motion stand as a notice.

Motion was allowed to stand as a notice of motion.

DRY DOCK SUBSIDIES.

Sir WILFRID LAURIER moved that the House go into committee to-morrow to consider the following proposed resolutions:

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 as an aid to the enlargement and extension of any dry dock, subsidized under any Act of the Parliament of Canada passed before the date of these resolutions, a subsidy, as hereinafter provided, 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 enlarge and extend any such existing dry dock and to furnish 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 the enlargement and extension is entered into, the Governor in Council being satisfied that such enlargement and extension is needed in the public interest;

3. That dry docks constructed or dry docks enlarged and extended 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 in which vessels of a tonnage displacement of at least 25,000 tons 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 18 feet at ordinary low water if constructed on non-tidal waters;

(b) Floating dry docks, in which vessels of a tonnage displacement of at least 15,000 tons can with ease and safety be received and repaired;

(3) Dry docks of the third class costing for the purpose 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 in which vessels of a tonnage displacement of at least 3,500 tons 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 3¼ per centum of the cost of the work as fixed and determined by the Governor in Council, each year during a period of 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 of 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 of 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 subsidy payable in respect of dry docks which have been enlarged or extended under the provisions of any Act founded on these resolutions, shall be—

(a) If of dimensions or capacity when enlarged and extended not less than the principal dimensions of a dry dock of the first class under such Act, a sum not exceeding three and one-half per centum of the cost of such enlargement and extension, as fixed and determined by the Governor in Council, each year during a period of 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 dimensions or capacity when enlarged and extended not less than the principal dimensions of a dry dock of the second class under such Act, a sum not exceeding three and one-half per centum of the cost of such enlargement and extension, as fixed and determined by the Governor in Council, each year during a period of 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 dimensions or capacity when enlarged and extended not less than the principal dimensions of a dry dock of the third class under such Act, a sum not exceeding three per centum of the cost of such enlargement and extension, as fixed and determined by the Governor in Council, each year during a period of twenty years from the time the Governor in Council has determined under the provisions of the Act that the work has been completed;

6. That the work of construction or enlargement and extension be done under the supervision of the Department of Public Works;

7. 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;

8. 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;

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 all times be entitled to the use of such docks in priority to all other vessels.

Motion agreed to.

MEAT AND CANNED FOODS ACT.

Hon. SYDNEY FISHER moved second reading of Bill (No. 193) to amend the Meat and Canned Foods Act.

Mr. R. L. BORDEN. Will the hon. minister be good enough to explain the purport of the Bill?

Mr FISHER. When I moved the resolution on which this Bill is based, I explained that the amendments are almost entirely of a verbal character. There is no change of principle at all, and the amendments would be better considered as they are detailed when we are in Committee going over the Bill clause by clause. They are due to some little difficulties which have arisen in the administration of the Act.

Motion agreed to, and Bill read the second time, and House went into Committee thereon.

On section 1, interpretation.

Mr. FISHER. The only change in the first subclause is to add the word 'game' to the list of animals. The next subclause in the Act as it stands at present reads:

'Export' means export out of Canada or out of a province in which the establishment is situated to another province.

The Act applies to some goods which have never been in what is technically called an establishment. The word 'establishment' is not necessary in the administration of the Act. We therefore propose to leave out the words defining an establishment. The next subclause is a new one and defines a farmer. The Act permits the slaughter and sale of animals by farmers without inspection, and we have found some difficulty in defining clearly what a farmer is. We therefore insert this definition:

A farmer is a person whose recognized occupation is that of farming, and who slaughters only such animals as are fed by him on his own premises.

Some dealers have been claiming to be farmers, and we wish to define distinctly those who have the privilege allowed to farmers under the Act.

Mr. BLAIN. Will this definition take in the Minister of Agriculture?

Mr. FISHER. I think so.

Mr. HENDERSON. Will the minister explain why he uses the word 'goats' in this Bill? Is it intended to can goats as food, or what is the object? I am afraid this would open the door a long way for adulterated foods. Some people make cheese out of goat's milk, but I am not aware that they have come down to eating goats. I think the minister ought to explain why he is giving the men who are running these canning factories an opportunity of palming off goat's meat instead of other meat which the people usually eat. Perhaps the minister could explain whether he intends this goat meat for export or for local consumption. So far as Ontario is concerned, he need not bother about it, because we have not yet got down to eating goats or horses either. But at the same time I do not think we should send from Canada to the old country canned goats. Surely the minister has made a mistake.

Mr. FISHER. In the first place, this is not an amendment because the word 'goats' appears in the original Act.

Mr. HENDERSON. Why not take it out?

Mr. FISHER. It could be taken out. I do not think there is any quantity of goat meat used in Canada, but there is a good deal of it slaughtered in the United States and it might be shipped in here. This clause simply enables us to deal with that if it should be sent into our market. I know, as does my hon. friend, that goat meat is not used in Ontario or in Canada at all for that matter, but it might be imported, and, as is well known, there are a number of flocks of goats being encouraged in the country for other purposes, and as some of them might be slaughtered and put upon the market we could not deal with such a case unless this word were in the clause.

Mr. HENDERSON. Is there anything in this Bill or in the original Act which prohibits those engaged in the canning industry from canning goat meat?

Mr. FISHER. Not so long as they call it goat meat.

Mr. SPROULE. This Bill defines a farmer as a person whose recognized occupation is that of farming. There are many people in Canada whose recognized occupation may not be farming, but who, nevertheless, are carrying on farming extensively, and who if under this Act they were deprived of any rights which a farmer might enjoy, would be treated unjustly.

Mr. FISHER. I think, subject to correction, that if a man was running a farm in any way this clause would include him. For instance, my hon. friend (Mr. Sproule) is a doctor, and if he ran a farm as well I think he would be recognized as engaged in the occupation of farming. I would not wish to restrict the interpretation in that

Sir WILFRID LAURIER:

sense, and there is no such intention in the drafting of the clause.

Mr. J. D. REID. This Bill applies to food that is exported, but so far as the Canadian consumers are concerned any kind of diseased animals may be sold to them. I saw a case in Toronto not long ago where diseased meat was sold for 1½ cents per pound for the purpose of canning it, and the vendor was brought before the magistrate and fined $20. Then, calves only a few days old are put on the Canadian market. As I understand it, the Minister of Agriculture is using all his efforts to see that the good meat goes to a foreign country and that the refuse is left in Canada. The minister has promised session after session to provide a remedy, but he is not doing so in this Bill.

Mr. FISHER. My hon. friend is bringing up the old, old question which has been discussed time and again in this House. The question of local slaughtering and of protecting the health of the people is a provincial matter and it is only the export and interprovincial trade that this Bill professes to deal with. The case which my hon. friend mentioned is a local matter and we have nothing to do with it. I have no hesitation in saying that while we might have the power, it would be inadvisable and impracticable for Dominion officials to interfere in such matters. If we attempted to do so we would very soon have a most violent protest from the provincial and municipal authorities.

Mr. J. D. REID. The minister does not think it would be unconstitutional for us to do it?

Mr. FISHER. It may be that we could constitutionally do it, but it is inadvisable.

Mr. J. D. REID. And the minister now says he refuses to do anything to protect the health of the people of this country?

Mr. FISHER. That is not a correct definition of what I said.

Mr. J. D. REID. Then make it plain.

Mr. FISHER. I said that so far as the making of local arrangements are concerned these are in the hands of provincial and municipal authorities and that it was not for us to interfere with them in that work. As to export trade and interprovincial trade, this Act deals with that and we have been trying to enforce it.

Mr. J. D. REID. The minister is not dealing with municipal matters in this Act.

Mr. FISHER. That is just what I said.

Mr. J. D. REID. It is the first time in the history of the minister that he has been anxious not to put on more government officials and to exercise patronage.

Mr. FISHER. Oh, no, quite the contrary.

Mr. J. D. REID. Every time he has a chance he has been creating new officials.

Mr. FISHER. My hon. friend knows better.

Mr. J. D. REID. I don't think there is a member in this House who would dispute that fact.

Some hon. MEMBERS. Yes, there are.

Mr. J. D. REID. The minister in this case is willing to appoint officials to protect the health of the people of foreign countries, but he will not appoint inspectors to safeguard the health of our own people. I think that is an awful condition for a minister to be in who has charge of the Agricultural Department, and is supposed to do something for the farmers. I cannot see yet where we have ever had any benefit from the department. Here is a chance now where he can protect both the farmers and the community if he would put on a horde of officials and see that we get decent meat to eat. The Prime Minister knows that we ought to have pure food in Canada.

Sir WILFRID LAURIER. And more patronage.

Mr. J. D. REID. If it is necessary to have more patronage in order that we may have pure meat, I am willing to have more patronage. But the Prime Minister agrees with me that we should have pure meat, and yet his Minister of Agriculture sitting beside him, absolutely refuses to give it. The result is that if the policy of the Minister of Agriculture is carried out, we will have rotten meat to eat. Now, I think the Prime Minister is just as guilty as his Minister of Agriculture, because, while he is trying to get all the patronage he can, he does nothing to compel his minister to give us pure meat. It is a notorious fact that the Minister of Agriculture has always been guilty of putting on officials wherever he can possibly do it; but in this particular case where more officials are necessary to protect the health and lives of people, he refuses to put them on.

Mr. FISHER. My hon. friend in one part of his address exactly contradicts what he says in another part. He abuses me for asking for more patronage, and then he abuses me because I won't take it. Here is an evidence that I do not want patronage. I may say to my hon. friend that none are so blind as those who do not wish to see. He cannot see anything good in the Department of Agriculture.

Mr. J. D. REID. I may mention one thing that the minister did do on behalf of this country. He undertook to show the people how they could make a profit out of

hens. Now he has got 323 hens out there, and he pays $4,500 a year for looking after them. He has a general superintendent that he pays $1,500; then he has a foreman that he pays $1,000; then he has a man to cary water to these hens, and he pays $800 to him; then he has another man to feed the hens, and pays him $800; then he has another man to clean up the hen house, and pays him $600. So altogether he pays $4,500 a year for looking after these 323 hens, and all the return he gets out of them is $350. There is something that he is doing for the farmers of this country, and there is also a glaring case of patronage. But now that he has a chance to do something to give the people pure food, the Minister of Agriculture stands up here and absolutely refuses to protect the lives of the public, and probably the lives of their children, by allowing them to continue to eat this diseased meat.

Mr. W. F. MACLEAN. The logical sequence of the statement made by the Minister of Agriculture is this, that so far as interprovincial trade is concerned, he has jurisdiction now. I would like to ask him if he is exercising that jurisdiction in regard to provincial trade. This question has also arisen in the United States, where one of the great industries is that of slaughtering cattle for meat. It has concentrated itself in the great centres of the United States like Chicago and Kansas City. They have now a federal act for the inspection of meat largely used for domestic purposes, even when it is not exported but is sent into other states. Now that thing must come in Canada. The slaughter of the meat supply of Canada will be done largely in some centre like Winnipeg, and is being largely done in the city of Toronto to-day. There is a great interprovincial trade originating in those centres, so the minister will have to take jurisdiction more or less in this matter, and exercise official supervision of meats for the interprovincial trade. He is seized of that authority now. I wish to know now if he is enforcing the law as regards the product of abattoirs in our present meat killing centres, when that product is sent into other provinces.

Mr. FISHER. Yes. Every establishment which does any interprovincial or export trade has in it an inspector of the Department of Agriculture, whose business it is to supervise and watch the animals when they come in, their slaughter and their preparation for food. We do not touch abattoirs or slaughter houses which are purely local in their character, leaving that to provincial or municipal authorities. Importers are also subject to this Act.

Mr. W. F. MACLEAN. In about how many meat killing centres now is this jurisdiction asserted?

Mr. FISHER. About 40 establishments are under inspection in various parts of the country, including these large ones in Toronto.

Mr. J. A. CURRIE. I quite agree with any effort that is made on the part of the Department of Agriculture to ensure that the public shall get pure and healthy meat for consumption. One objection to the inspection made by the department, is that, while in the large cities there are inspectors of abattoirs where the meat is exported or liable to be exported, the bulk of the meat that enters into local consumption in cities and towns is not subject to any inspection at all. As a consequence, animals that are liable to be diseased in any way are overlooked. The owners of these animals sell them to the small butchers and they are consumed all over the country as human food, while the best of the meat is nearly all shipped out of the country. On this occasion I would like also to voice a complaint and bring it to the attention of the minister to see if some method cannot be adopted to secure a more equitable distribution of the loss and expense of inspection. It is manifestly in the interest of the public that meat should be inspected, but the expense and loss incurred in that connection is not borne equitably by the public. There are over 400 drovers in the province of Ontario. Those 400 men purchase their cattle on the farm. The farmer sells a bullock to the butcher, the animal looks quite healthy, it goes to the stock yards, it there passes a visual inspection by an inspector who looks at it and passes it as a healthy animal. The drover purchases that animal on the condition that it passes inspection, and that is the inspection that it has to pass.

After it has passed the visual inspection from the car, it is sold to the packer or exporter, but the purchase is made from the drover on the distinct understanding that the animal must pass inspection as dead meat. But, when the animal is sent to the abattoir and slaughtered, it is discovered that it has had a touch of tuberculosis or some disease of that kind, and so the drover, having sold it subject to the inspection as dead meat, must lose every dollar that he paid for it. It may be said that he can go back to the farmer from whom he purchased it, but that is impossible, because the animal was not tagged to identify it as coming from any particular farmer. The result is that last year, in Ontario alone, the drovers lost over $400,000 from this inspection. For my part I quite believe that it is very proper that the department should conduct this inspection and proper that we should make every effort to have wholesome meats; but I think also that a plan should be devised

whereby the party who loses this money should be compensated in some way. It is manifestly unfair that the man who has purchased the animal in good faith from the farmer should lose, because after the animal has passed the visual inspection by the inspector, an official of this government, mind you—a defect which nobody has been able to discover and for which the drover is certainly not responsible, causes the condemnation of that carcass. The drovers of Ontario are seriously considering going out of business because they lost an average of about $1,000 each last year.

Mr. SEALEY. Do not the packing houses lose that?

Mr. J. A. CURRIE. Not a dollar; every cheque they give to the drovers is marked 'subject to inspection.'

Mr. SEALEY. In our locality, the packing houses bear that loss.

Mr. J. A. CURRIE. The drovers, I understand, held a meeting in Toronto last week, when this grievance was talked over, and it was there shown that last year they had paid over $400,000 on this account. Now, this dead meat inspection is for the protection of the public, and it seems to me that the drovers ought to be compensated by some one for their loss. I thought that, as this matter was under discussion, I would call the attention of the minister to the point, because I do not think that, at heart, he is opposed to the view I take as a matter of justice. Every one knows that it is for the public good that this inspection occurs. Why, then, should these poor men be called on to pay the penalty for providing proper food for the whole community?—especially when you consider that most of this meat is exported, and so our drovers are penalized in order to insure the purity and wholesomeness of the food of foreign people. As I have said, there was over $400,000 worth of this meat condemned last year after having passed the general inspection at the yards where the cattle were unloaded from the car.

Mr. BRADBURY. What became of the meat?

Mr. J. A. CURRIE. It was destroyed—tanked. But the man who pays for it gets nothing for it. This matter should claim the attention of this House, and some means should be devised by the Department of Agriculture to remove this cause of hardship in the case of an important class of our citizens.

Mr. OWEN. I am more anxious about the health of the people than about compensating anybody at the present time. I drew the attention of the Minister of Agriculture (Mr. Fisher) to this question of diseased meat a year ago. I told him that I knew of a number of animals affected with tuberculosis being butchered and sold to the people of this country. And I tell him that now. If he wants to take the matter up—and I wish he would—I will prove my statement by the men who are buying these cattle and who are ready to come here to Ottawa and give their testimony on the subject.

Mr. FISHER. My hon. friend from Northumberland (Mr. Owen) makes a statement which I do not dispute. I know that many animals are slaughtered that are not in perfectly sound health, and, no doubt, the meat is sold in many cases for human consumption. That is not the case in any abattoir or meat packing house under the operation of this Act. If the municipal councils and the provincial authorities do not choose to prevent what the hon. gentleman has mentined in the slaughter houses under their control, I am sorry for them, but I am not responsible. If these slaughter-houses were under the operation of this Act for export or interprovincial trade, what my hon. friend has stated could not occur.

I may say to my hon. friend from North Simcoe (Mr. J. A. Currie) that this question of the difficulties of the drovers, packers and farmers, as to who is responsible for the losses to which he has referred, is a very complex one, but one which I consider to be more a matter of trade arrangement amongst the parties concerned in the business than for governmental interference. I know that statements are made such as my hon. friend has made here today. We had a deputation of the packers and men representing these packing establishments for which these drovers buy, and these gentlemen said that the loss fell on the packing-houses.

Mr. J. A. CURRIE. That is not so now.

Mr. FISHER. I am not saying which of these statements is right; I am only stating what these gentlemen said. The hon. member for Wentworth (Mr. Sealey) has just stated that the packing houses in Hamilton suffer this loss. In any case, it seems to me that it is properly a matter of commercial arrangement among the parties interested. I do not see how the government could step in and undertake to bear the loss in regard to these dead animals. For it is to be observed that the loss does not occur until the animal is made into meat. Under the Contagious Diseases of Animals Act, which has to do with living animals, we do certain work and pay certain compensation, for the reason that these living animals are likely to spread contagious disease if allowed to live. Where we order the slaughter of the animals, in the interest of the health of animals and of the people of the country at large—but only in such cases—we pay compensation. But in

this case, the discovery of the unfitness of the meat for human consumption is not made until the animal is dead and there is no further danger in the way of spreading disease; it is simply the loss of the value of the carcass or of that part of the carcass which has to be destroyed. My hon. friend (Mr. J. A. Currie) spoke of the drovers of Ontario as having lost a very large sum of money. My own observation would lead me to believe that the figure the hon. member gives is much larger than could possibly have occurred. Those interested may talk that way, but no such figures as he mentions have been given to me, and I think that the figure is exaggerated. Of course, I do not mean that it is exaggerated by my hon. friend; I do not know from whom he got his information.

Mr. J. A. CURRIE. I have had the information from the chairman of the association.

Mr. FISHER. They have not given me such large figures as that. I know they have made large payments and suffered great loss, but the incidence or the loss is not yet thoroughly established, and I think in some cases it is on the one hand, and in some cases on the other according to the bargains that were made.

Mr. J. A. CURRIE. I understand the courts have decided that the farmer is not responsible, because the distinction is made between selling a diseased animal and selling diseased meat. Then the question arises, whether the abattoir man or the butcher, or the drover is responsible. But the abattoir man endorses every cheque he issues that the animals are sold subject to inspection, and consequently the whole loss is thrown on the drover. To my mind, it is the consumer who benefits in the end, and, therefore, the beneficiary should pay for the protection. If the department approaches the matter from that logical standpoint, it will reach a solution of the difficulty much quicker than by attempting to trace responsibilty from the time the bullock was born, in its passage through many owners, until it gets to the market.

Mr. FISHER. I do not agree that the consumer is the principle one concerned, because it is the export trade of the country we are trying to protect. In the case of interprovincial trade it is the Canadian consumer, but this Act is chiefly intended to safeguard our large and important export trade which supports large industries in this country, which in their turn are of great value to the original producer, the farmer. Without this law the export trade would be in serious danger.

Mr. J. A. CURRIE. I quite understand that but the man who is suffering at present is the drover who is being driven out of business. It is not in the interest of this country that the poor drover should be taxed $1,000 a year to protect the public from diseased meat. It is a hardship on them and if the minister considers the matter carefully and brings in legislation to remedy that hardship he will, I believe, meet with general support. The poor drover has a wife and family to support, his whole capital may be only $3,000, and if he has to pay $1,000 a year out of his business he simply will be driven to the wall. The minister should give this matter grave consideration and not take a stand one way or the other until he has thoroughly sifted all the facts. The government assumes the cost of protecting the lives of the people on the ocean, on the railways and in various other ways, and I do not see why they should not assume the cost of protecting the lives of the people in this case.

Mr. SEALEY. In considering this amendment without the original Act before you, it is hard to thoroughly understand the intention of it. If any portion of the amendment is intended to deal with any portion of the subject that has been under discussion recently, I feel that if the hon. member for Simcoe is correctly stating the conditions in Toronto, he is certainly not stating them correctly with regard to Hamilton or many other places I know of. Nor is he stating the correct position of some drovers on the Toronto market. Our packers in the vicinity of Hamilton claim that they lose all the meat rejected by the inspectors, and while I have sympathy with any person who meets with a loss which might be averted, I cannot endorse the reasoning that the loss should be on the farmer. I think the drover who purchases the animal from the producer has the right to make all the examination and inspection he wishes before he buys the animal, but when he has bought the animal and taken possession of it the farmer's responsibility should cease. Then, when the drover sells on the market to the packer, unless he willingly agrees that he should stand the loss, I do not think the law should compel him. The packer on his part has the right to make the most minute inspection of the animal he wishes, and the moment he buys it and assumes possession the responsibility of the drover should cease. I am satisfied from the information I have had that the loss is now borne by the packer, and I think he is best able to stand it. I am quite satisfied that he gauges his buying and selling price by an estimate of that loss, and no doubt the producer and consumer pay in the end. I do not want the House to look upon the matter from the point of view that the drover is standing that loss now. He may be in some cases where he agrees to, but

if it be a fact that he is bearing the loss then the law should be amended so that when a man buys and assumes possession of an animal the responsibility of the seller should cease.

Mr. J. A. CURRIE. I do not wish the hon. gentleman (Mr. Sealey) to run away with the idea that I am wishing to impose this loss upon any single section of the community. The hon. member says that the packer loses and, if that be so, I say it is a great hardship on the packer, and it is unjust. I am creditably informed the drovers have lost $400,000, and that I say is a serious loss and a great injustice to them. We have been told, on the other hand, that the farmers have to pay the loss, and I quite agree that if that be so it is a great hardship on the farmer, because the farmer may have brought that animal as a young animal and it may have passed through two or three different hands, and it would be difficult to trace the first point from where the animal became diseased. It is a hardship then on the farmer. After the animal passes visual inspection the responsibility for the animal should pass to the owner. But when the matter is such a serious one and when it has such an important bearing upon the interests of the community, the community should hold itself responsible for a share of the loss. It is the community that is being protected, the safety and health of the people are being ensured, and I think the community should help in some degree to pay for the loss that is occasioned by reason of their protection. I do not think the cost should be borne by either the farmer, the drover or the packer. It is neither fair, just nor equitable.

Mr. SEALEY. The transfer of the property after inspection should settle the responsibility.

Mr. BLAIN. I suppose there will be a variety of suggestions with respect to the inspection of beef. I have one or two complaints from my own county, one from a very prominent drover who complains that the drover is at a loss. For example, he goes to a farmer, buys a half dozen beef animals, gives his cheque for the animals, the cheque is taken to the bank, and the farmer receives his money. When the drover gathers his carload of cattle together, takes them to Toronto, and disposes of them to the abattoir, the abattoir people give him a cheque upon which is marked the condition that these animals are subject to government inspection, and if they fall below the government standard the abbatoir man goes back to the drover and asks for a recompense. The drovers in my section claim that they should be relieved in some way—I am not prepared to say how. The drovers venture to say that the farmer should bear the loss if they can trace the animal back to the farmer. I do not agree with the drovers in that respect. It is a matter that should be very carefully considered. I have no doubt that it has been carefully considered by the minister, and I hope he will continue to give it careful consideration. I believe that the government should take some considerable responsibility in this matter. I do not want to ask that the farmer should be the loser; I do not think he should be. I think it is a case where the farmer should not be the loser, I do not think the drover should be the loser, but it is a matter that should receive such consideration at the hands of the government as will result in the introduction of some amendment that will cause this loss to be shared by those who are entitled to pay it.

Mr. FISHER. The question of the cheque paid to the drover, as described by the hon. gentleman, must be a matter of arrangement between the packer, and the drover. I do not think that parliament or the government should interfere with an arrangement of that kind. If the drover does not choose to take a cheque of that kind from the packer he need not do so.

Mr. BLAIN. I understand that the abbatoir people do not give any other cheques.

Mr. FISHER. It may be a matter of coercion.

Mr. BLAIN. I speak subject to correction, but I understand that in Toronto, when a drover disposes of his cattle to the abbatoir people, the trade is based on the condition that the animals are subject to government inspection, and this condition is marked on every cheque.

Mr. FISHER. Of course, the abbatoir people may be so strong, and have such a complete control over the trade that they can do that, but the drovers have a perfect right to say that they will not buy for an abbatoir that does that. It is a matter of private agreement. I know that in Toronto there is a system—I think it is managed by the Union Stock Yards Company—of insurance by which a small fee of twenty-five cents per head is paid in, and out of the fund thus secured losses are paid. I know that in England, where this question has been threshed out for years, a system of insurance has been arranged by which there is a small fee paid, and these losses are completely covered in that way. In Germany a similar system of insurance obtains, and all the parties engaged in the trade between the first sale of the animal to its final slaughter, and inspection, are insured in that way. I have not the full details of any of these schemes. I think that my director general of veterinary af-

fairs has the full details of the Toronto scheme, but I do not have them in my mind at the present moment. We have not the details of the English and German schemes. I think that is probably the best solution of the whole thing, but it would be extremely difficult for the government to interfere, and lay down rules or laws on a subject of this kind. My hon. friend must not think for a moment that I take either one side or the other. I am not taking sides against the drover or the packer. I appreciate the losses of all of them, and I would be extremely glad to see these losses equitably met. The way to do it seems to me to be on the insurance principle, or by a mutual arrangement between the parties who are engaged in the trade. I have not found my way to any proper, and effective interference in the matter on the part of the department. If I could find a way that seemed to be effective, and quite proper, and fair to all parties concerned I would be only too glad to consider it. But it is because I have not been able to find such a way that I have not proposed any legislation.

Mr. SEALEY. In connection with the cheques that are issued by the abattoirs, if these cheques are drawn, obliging the the drover to assume any loss that may afterwards occur. Now, while I am not a lawyer, I do not think they carry the obligation of the drover to make good these losses if any occur after delivery. But, if they do, as has been said by the hon. Minister of Agriculture (Mr. Fisher) the drover should refuse to sell to the establishment which imposes such conditions. Perhaps those conditions are imposed by all of the packers. If they are it is a case of combination among the packers to impose an unfair condition upon the drovers and upon a section of the people that cannot very well help themselves under the circumstances. If that is a general condition, then it is a fit subject for inquiry, and prosecutions under the Combines Act, and it may call for the passage of legislation by this House to prevent such an unfair condition existing.

Mr. BICKERDIKE. I am pleased to be present on this occasion when this interesting discussion is going on. There is no doubt that some one is suffering. I know that the hon. Minister of Agriculture (Mr. Fisher) is doing his best to find a solution. There is only one proper way out of it, and that is for the government to pay the loss. You slaughter a man's cattle to protect his neighbour. Then, his neighbour should contribute to the loss. I think this is the only way to do it, although I realize the great difficulty there must be in carrying out such a plan. As we say in the cattle trade, it all depends on whose ox is being gored. But, there is no question that some one is losing. If the animal is destroyed entirely, some one loses on it, and I think the country should contribute in some way towards the loss whether the loser be the abattoir, the drover or the farmer. If the meat is destroyed for the benefit of the public, the public should contribute towards the recompense of the one who loses.

Mr. J. D. REID. I agree with what the hon. member for Montreal, St. Lawrence (Mr. Bickerdike) says. In my own county there was a case where a farmer had to destroy three or four of his cattle on account of some contagious disease. An inspector comes from Ottawa and says: You have to kill those animals, but it does not come within the category of those that are paid for.

Mr. FISHER. My hon. friend is in error. No officer of my department orders anybody to kill an animal unless we are prepared to pay the compensation given by law.

Mr. J. D. REID. Supposing one of the officers of the department goes out and pronounces it a contagious disease, does the law not provide that the animal must be destroyed?

Mr. FISHER. Not necessarily.

Mr. J. D. REID. If it is a contagious disease, as I understand the law, the animal must be destroyed. Does not the man say that it must be destroyed? At all events in the interest of the public it must be destroyed.

Mr. FISHER. No.

Mr. J. D. REID. If the animal has a disease which makes it necessary to destroy it, the farmer must lose it. He comes to Ottawa and gets the officials to examine the animal, and the official requires the animal, in the interest of the community, to be destroyed.

Mr. FISHER. Whenever we order an animal to be killed we pay compensation. We do not order the destruction of all animals which are effected with contagious diseases. Mange is a contagious disease, but we do not order a mangy animal to be killed. It is only when we order an animal to be killed that we pay compensation.

Mr. BRADBURY. This question of the health of the public seems to me to be a very big question, and this House ought to consider it very seriously. I am not very much interested in diseased cattle; in my county we do not have any; but I infer from what the minister said in the early part of this discussion, that the matter of regulating the sale of diseased meats rests very largely in the hands of the different

provinces. I do not pretend to be a constitutional lawyer, but I would say that if it is possible the federal power ought to control the sale of all foods from one end of this Dominion to the other, as one province may be a little more zealous than another in protecting the public from diseased meats. There has recently been a great deal of discussion in the United States and Canada regarding cold storage systems, and this House, while it is discussing diseased meats, might very well at the same time consider that subject. We have learned from the press that the public have been eating meat, eggs, poultry and fish which have been in cold storage for two years. I myself have known fish which is I suppose the most delicate kind of food produced, and which has come from the Manitoba lakes, that has been stored in Chicago for three years and has then been sold to the public. This is a matter of very serious importance, and I think that Canada might well take the initiative in regulating in some way the cold storage system. I think there ought to be a law that would make it impossible for any one to hold meat or other food products in cold storage longer than a certain period. The date when any food product is put in cold storage should be tagged on it. I believe that the manner in which our cold storage systems have been allowed to store up meat and other food products has had a great deal to do with the increased cost of living. There has been some agitation on this subject in Montreal, and I understand that the provincial government have practically said that they cannot regulate the cold storage system, as it is a Dominion matter. If that is so, it is up to the Minister of Agriculture or the government to formulate a policy and introduce legislation to regulate these cold storage systems all over the Dominion and place them under strict government inspection.

Mr. BLACK. The unsettled and chaotic state of the law in regard to the foods of the public, to which this discussion has led up, is just another voice crying out for the establishment of a bureau of public health. No man who has intelligently considered the question of protecting the life of our people, both adults and children, can fail to realize the deplorable loss of life all over Canada for the want of some guiding hand in protecting the people in the food they eat and the water they drink. As truly as the sun is shining, the day is coming, and it is not very far distant, when a federal bureau of public health will be established. The public cry out for it, the government see the necessity for it, and I think there are only two individuals within a radius of a good many miles of the seat of government who are opposed to it. No man can look at the meat exposed for sale in our meat markets without seeing that much unfit food is sold. No man can see the conditions under which the milk supplied to our homes is produced and handled without concluding that there ought to be a reform there. I am not using extravagant language when I say that the awful slaughter of the innocents which goes on in Canada every summer during the hot weather, is crying aloud to this government to establish a bureau of public health. More Canadians die from the first to the fifth year than from the fifth to the fifty-fifth; and the cause of this awful slaughter of children is in most cases impure food, impure milk, ignorance in feeding, ignorance in preparing food. I think the day ought not to be far distant when the government will undertake to educate mothers how to feed their babies and women generally how to cook our food. There is no question on which we legislate that is of such importance as this question. You cannot make a nation without having healthy people, and you cannot have a healthy people unless you protect them in the food they eat in infancy and childhood. You have only to look at a baker's wagon going about the streets of this city or anywhere else to get an idea of present conditions. I have watched a man carry into a house loaves of bread, with the same hands with which he has probably attended to his horse in the morning, and with a pair of mittens that have probably not been washed for months. I would not like to say how much of the filth of the stable or the streets is in it but it is there. Look at the meat in the shops exposed to every breeze that blows filth upon it; look at the candy that is sold to your children exposed in the same way. We should have an authority on public health that would regulate all these things. Those who know how to protect the public should protect the public who don't know. There are people who cannot be expected to be educated in these things and it is the duty of this government to protect them. To my mind this is a question of paramount importance. If we consider it only from a monetary point of view; if we consider the enormous loss every year from unnecessary sickness and death; if we had no higher motive than mere dollars and cents it is a profitable thing to preserve the lives of our people. Then from the humanitarian point of view consider its vast importance; consider the alleviation of distress, the prevention of sickness; consider the enormous number of babies that are dying in this country every year who should grow up to be men and women and good Canadians.

Mr. J. D. REID. I do not think it is fair for the hon. gentleman (Mr. Black) to suggest that the Minister of Agriculture

should be placed in the humiliating position of being forced to go round Canada to teach the women how to feed their babies.

Mr. BLACK. I did not say that.

Mr. J. D. REID. That is what I understood the hon. gentleman to say. I do not know whether the Minister of Agriculture has much experience in that line, but I judge from what I know of him—at least from what I have seen and heard of him that he has not yet sufficient experience to enable him to teach the women of Canada how to feed their babies on milk.

Mr. FISHER. You show great appreciation.

Mr. J. D. REID. Well, I do not like the minister to be placed in a false position. I agree with the hon. member (Mr. Black) that a public health department should be established by the government because there is no doubt that a number of our people are developing tuberculosis and other diseases from eating diseased meats. In every constituency of the Dominion the old and diseased cattle are being sold for practically the value of the hide, and the meat is canned and sold. I feel very strongly that the Minister of Agriculture must change his attitude, and that he must devise some scheme whereby the people of Canada will be protected in their food. He should not devote all his energy to the protection of the people in foreign countries who eat our exported meat. For some years the custom is that calves about a day old have been sold to these canners, and the meat turned out as chicken. Does the minister know that that is going on at the present time?

Mr. FISHER. Not in any place where our inspection goes on.

Mr. J. D. REID. I tell the minister that they are being shipped every week right into Montreal, and his inspectors are inspecting them.

Mr. FISHER. No.

Mr. J. D. REID. I know men who have been shipping them there.

Mr. FISHER. Does the hon. member state that calves of the character he describes are sent to Montreal, and are allowed to pass my inspectors. If he does I say it is not so.

Mr. J. D. REID. Yes it is.

Mr. FISHER. I deny that.

Mr. J. D. REID. And they pass your inspection.

Mr. FISHER. No.

Mr. J. D. REID. I say they do.

Mr. FISHER. Give me an instance.

Mr. J. D. REID. I am not looking after your inspectors, and if you had proper inspectors it would not happen, but the trouble is that you appoint shoemakers.

Mr. FISHER. I do nothing of the kind. There is no one acting as an inspector who is not a veterinary surgeon, except a few laymen——

Mr. J. D. REID. Ah.

Mr. FISHER. Wait a minute—these men have been butchers, or something of that kind, and they are entirely under the control and management of the veterinary inspectors. I deny that any calves such as the hon. member has described have been allowed to pass into Montreal by my inspectors.

Mr. J. D. REID. The trouble is that you appoint a tailor, or a shoemaker, or somebody like that.

Mr. FISHER. My hon. friend is again making a reckless statement.

Mr. J. D. REID. I am not.

Mr. FISHER. Yes, you are.

Mr. J. D. REID. You allow such men as Mr. Bickerdike, the member for Montreal, St. Lawrence, to appoint that kind of men, instead of the proper men.

Mr. FISHER. No, Mr. Bickerdike would not send me a man who is not of the right kind.

Mr. J. D. REID. The member for St. Lawrence knows as well as I do if he would like to state it, that such calves as I have mentioned are going right into Montreal every week.

Mr. BICKERDIKE. I must protest against that statement so far as Montreal is concerned. The hon. gentleman (Mr. Reid) is entirely mistaken. That is not the class of food that is used in the city of Montreal. My good friend (Mr. Reid) made the statement that I have recommended men to the Minister of Agriculture who were not competent for their positions. Let me tell him that if I recommended a man to the Minister of Agriculture my recommendation would be sufficient for him not to get the job.

Some hon. MEMBERS. Hear, hear.

Mr. BICKERDIKE. When many applicants for positions come to me for a recommendation I tell them they had better not have it because the minister would be sure to keep them out of the position. They get their recommendation from some Tory member on the other side of the

House. Let me tell my hon. friend (Mr. Reid) that the inspection in Montreal is first class in every way. The only objection I have to the thing is that when the government destroys a man's property in the interest of public health they do not pay him for it. As to Montrealers eating the class of food described by the hon. member (Mr. Reid) he is entirely wrong; most of it is consumed in Ontario. It does not come to Montreal at at all.

Mr. DOHERTY. I am greatly encouraged by the certificate given me by my hon. friend from St. Lawrence, Montreal, (Mr. Bickerdike) that the Minister of Agriculture accepts recommendations to office from Tory members of parliament. While I cannot claim to have a very profound knowledge of this subject, I quite agree with my hon. friend that, in cases of this kind, where, as the result of an inspection made for the protection of the general public, a man who has bought in good faith—of course, I say nothing of those who have not acted in good faith—finds his merchandise confiscated, or condemned, and consequently confiscated, and thrown valueless on his hands, it would be perfectly fair and proper that, to some extent, at all events, he should receive compensation from the public so protected. If I understood the Minister of Agriculture, he stated a few moments ago, in answer to the hon. member for Grenville (Mr. J. D. Reid) that where it was found necessary to destroy a living animal for the protection of the public, compensation was invariably paid. Now, I would like to ask the Minister of Agriculture what is the difference in principle between these two cases. In one case the living animal is destroyed for the protection of the public and compensation is paid; in the other case, the carcass of the dead animal is destroyed for the general protection—or rendered absolutely valueless—and no compensation is paid. It seems to me that, while this inspection is most desirable, the people who, for the protection of the public find their property destroyed, have a claim to reasonable compensation.

Mr. FISHER. There is a very great difference between paying compensation when we order the living animal to be destroyed, and paying compensation when the dead meat is found to be unfit for food. In the case of the living animal, the owner may say that the animal can be cured, and the value not lost, but the veterinary authorities consider the risk to the public too great, and the slaughter of the animal is ordered. This not only prevents the spread of the disease, but is a step towards stamping out the disease altogether. In the case of hog cholera we have conquered the disease. In the case of glanders, we have reduced it so much that the compensation paid now is only one-fifth of what it was when we began, and we hope within a year or two to get the disease completely within bounds. On the other hand, the dead animal cannot spread disease. The meat is a merchantable article which can be sold or not sold. It is in the interest of the public that it should not be sold, because, in many cases, the consumer could not know that it was diseased and unfit for food. Therefore, in the interest of the public, we order it to be condemned. And in regard to this Act this applies only to the export and interprovincial trade. The reason why we deal with interprovincial trade is because the provincial authorities in the province where the animal is slaughtered could not control it in the province where it originated. The opinion that is given me by the Department of Justice, while no definite statement is made, is that it is probable that the question of public health and the control of food products in a particular locality, is rather under the control of the provincial authorities than of the Dominion. Therefore, we have avoided undertaking anything in connection with what I may call purely local affairs. We hold to the general principle that it is better the local authorities should deal with local matters; and for this parliament to undertake the making of a general law, such as has been suggested by my hon. friend from Selkirk (Mr. Bradbury) would be a new departure which, I must confess, I am not prepared to present to parliament, and would not like to see carried out. The question, of course, is fraught with difficulty. When this law relating to meat packing was passed a few years ago, the question was thoroughly threshed out, and the House decided, without serious objection, on the line which this law has taken. The amendments here proposed do not deal with the general principle, but are simply amendments of detail intended to facilitate the operation of the law.

Mr. DOHERTY. I was not suggesting that the minister should extend the law so as to interfere with provincial affairs. And I am quite prepared to recognize that there are more reasons why it should be necessary to order the slaughter of the living animals than can be cited for the condemnation of the dead carcass. But I fail to see that the minister has answered the question as regards the difference in principle. In both cases you are destroying a man's property for the protection of the public. While the consumer might be deceived in the meat he purchases if this inspection were not made, is it not equally true that the packer, when he buys diseased animals, is equally deceived? For, of course, we are speaking of cases in which the bad quality of the meat is ascertainable and ascertained only by pro-

fessional inspection after the animal is slaughtered. I am not saying a word for the man who, with his eyes open, buys animals that are diseased. But, when it comes to the government making an inspection of meat for the protection of the general public, and condemning—properly condemning—some meat as unfit for food, it seems to me that it would be quite proper that the public, for whose protection this is done, should compensate the individual who, acting in perfect good faith, is made to suffer that the public may be protected.

Mr. HENDERSON. Possibly we have drifted away from the subject which was brought to our attention earlier in the day by the Minister of Agriculture. At the same time, I feel sure that the time has not been wasted, for information has been given to members of this committee, and I hope it will find its way to the country. The minister was good enough to explain the system of compensation under the Contagious Diseases Act where animals become infected, and have to be destroyed. I have just one complaint to make with regard to the law as it is now framed, namely, that not only should the animal that is ordered to be destroyed by the government official be paid for, but that other animals in the same herd that may have died before the government inspector has reached the farm, should also be paid for. Now I am going to cite a case with which the minister's chief veterinary is quite familiar. Remember I am not taking exception to the administration of the law, but to the law itself. On the 11th day of the month a farmer noticed that his hogs were sick, and he called in the nearest veterinary who, by the way, is the quasi official of the government, because subsection 2 of section 3 of the Act respecting infectious or contagious diseases of animals, says:

> Any veterinary surgeon practising in Canada should immediately, on ascertaining that an animal is labouring under an infectious or contagious disease give similar notice——

To the notice he gives to the minister.

> —to the nearest veterinary inspector.

So I say the veterinary is a quasi official of the government, and the government should in some way be responsible for any neglect of duty on his part. In the case I refer to, the farmer called in the veterinary on the 11th day of the month. He examined a carcass, and I understand a portion of it was sent to Ottawa for inspection. Before the officer of the government reached the farmer to examine his hogs, some ten days had elapsed, I think the veterinary from Ottawa did not reach there until the 21st day of the month. In the meantime, out of a herd of twenty-one hogs fifteen or sixteen had died, and only five or six hogs remained which were ordered to be slaughtered. I understand the government paid, or promised to pay, and will, I presume, pay for those animals that were slaughtered. But what about the other two-thirds of that man's hogs which died before the veterinaary reached the place, and for which the farmer gets no compensation, though he had done his duty in the matter. My contention is that so long as compensation is to be granted, and so long as people carefully observe the law, and give notice to the proper officials, a man whose animals die before the inspector reaches there, and before the slaughter is ordered by the government inspector, should receive compensation for those that died previous to the inspector's arrival. I think the minister would not go far astray if he amended the law so as to permit of compensation being granted under conditions of this kind. The minister may tell me that he would be flooded with applications. Suppose he is. The object of the law is to stamp out disease, and I think the country can better afford to pay compensation for all these animals rather than that a poor tenant farmer should be compelled to sustain the loss himself. Not only does he sustain the loss, but he is actually prohibited for the next three months from keeping an animal of the same kind upon his farm, and probably loses the use of that class of product for the whole twelve months.

Mr. FISHER. This subject of course is entirely aside of the question before the committee, but I am not complaining of that. I may remind the hon. gentleman that when the law was amended so as to permit payment for animals killed by order of the department, perhaps not the hon. gentleman himself, but others around him, pointed out that unless that provision was carefully safeguarded it might lead to great abuse, and I promised that no compensation would be paid for animals slaughtered except they were slaughtered by order of one of my permanent officers. In the case my hon. friend refers to, the veterinary was not an official of the department in any sense of the word. My hon. friend says he is a paid official. We have given him authority to issue certain certificates, but that is all, he is not an official authorized to order the slaughter of animals. The law says that every veterinary who hears of a contagious disease must report it to us, but that does not constitute him a government official in any way. I can understand my hon. friend's dissatisfaction, when one of his constituents perhaps has suffered in the way he has described, and there may be occasions where it would be only fair and just to pay some compensation. But I fear that any relaxation in the law in that respect would lead to such demands, and

such difficulty in the verification of the reasons for slaughtering an animal, that enormous expense would be incurred which would be unjust to the community at large who would have to pay the expense.

Mr. GUTHRIE. Although the question of compensation may not arise under this Bill, I may perhaps be allowed to say that I agree with the sentiments which have been expressed by my hon. friend from Halton (Mr. Henderson), to the effect that the present law is quite inadequate. Many cases have arisen, and do arise, where, through the action of the government or its officials, serious direct loss is suffered by farmers and no compensation is paid, and where, I am sorry to say, I do not think any effort is being made in the direction of paying compensation. I have rather a pointed case in my own county which I drew to the attention of the House last session, and have brought it to the attention of the department before, a case in which compensation has been refused. I think if there ever was a fair, just and reasonable case, to use the minister's language, in which compensation should be paid, the case I have submitted, and will again mention, is that case. In November, 1908, either one or two carloads of cattle were ordered for export from Fergus to Liverpool, fine cattle, all ready for export. At Niagara Falls, on the frontier, a veterinary inspector of this government stopped them, examined the car and reported, not that an animal was diseased, but that he suspected that one of the animals had the mange. The shipment was delayed at the Falls. It was ordered from there back to Toronto, for some reason that I have not yet been able to ascertain, from Toronto ordered back to Fergus, there it was kept for a considerable length of time, three or four weeks, the farmer had to procure special stables and to comply with the special quarantine regulations, and in the end it turned out that the animal was not diseased and did not have mange. The whole loss arose from the mistake of the inspector of the government at Niagara Falls. The farmer lost his opportunity of making a sale, he lost his freight from Fergus to Niagara Falls and back via Toronto, he was put to large expense for providing special stables and complying with the quarantine regulations; in fact, his loss has run from $1,000 to $1,200. That is directly attributable to the action of the inspector who made the mistake. Why should not the government compensate in a case of that kind? A man might make a mistake and act bona fide and I have no doubt that it was a bona fide mistake. Why should the farmer bear the loss? The minister informs me that it was for the security of the public. Well, then, why should the public not pay? If the animals had been slaughtered two thirds of the value would have been paid, but as the matter stands to-day the man has lost from $1,000 to $1,200 on one shipment through no fault of his own, he has a fair, just and reasonable case and I think that either by special vote or otherwise that claim should be paid.

Mr. FISHER. All I have to say in regard to that particular case is that it was not a case of slaughter at all under Animals Compensation Act, and we have not the right to pay compensation for that loss.

Mr. GUTHRIE. You should have the right.

Mr. LEWIS. As a strong advocate of shortening the session and of shortening the debate, I may say that the hon. member for Montreal, St. Lawrence (Mr. Bickerdike), and the hon. member for Montreal, St. Ann's (Mr. Doherty), have said exactly what I believe upon this matter. I beg to call the minister's attention to a fact in reference to compensation. While he compensates a man whose cattle have been ordered to be killed and are killed, he does not compensate the man who owns the cattle which have been killed and which are afterwards found to have a disease which is contagious. He prevents, in the first place, the contagion of the cattle being communicated to other animals, and in the second case, he prevents the contagion being communicated to human beings. I can see no distinction between compensation for disease which is patent to the eye of the experienced veterinary and for disease which is not. There have been some remarks made in reference to feeding bottles by the hon. member for Hants (Mr. Black), and that reminds me of a little story which shows that cold storage is not always a good thing, especially with reference to matrimony. In the olden days the young ladies on the farm, who were sending out eggs, were in the habit sometimes of writing their names and addresses on the eggs, and when some young gentleman, perhaps far away across the sea, would see the name of a young lady he would write to her and matrimony would ensue. A young lady did that some time ago in the west and she was married and had three children before that egg got out of cold storage.

Mr. SCHELL. The discussion has taken a very wide range and has introduced a good many questions that are of a very complex nature. I just wish to make a few remarks in regard to compensation. The government, I am sure, deserve credit for appointing inspectors to inspect meats and animals which are slaughtered in our slaughter-houses, and I presume that when they appointed these inspectors they had little idea of the number of animals that

would be found to be diseased and the loss that would fall upon our packing-houses. As to whether the packing-houses or the farmers should be remunerated is certainly a very difficult question to determine. Primarily, I suppose, the farmer is liable but after the stock leaves the farm it is not always easy to trace the particular farm to which the loss is attributable and the fact at once is presented to our mind that the farmer cannot be made responsible. The drover certainly should not be, and those who conduct the packing-houses, I think, are unfairly dealt with when they are compelled to stand all the loss.

Mr. BLAIN. Do the packing houses stand the loss?

Mr. SCHELL. Yes, they do in most cases. I have in my mind especially the packing houses that kill hogs. I know as a matter of fact that they have sustained the losses up to the present time in almost every instance, if not altogether. If the government were to undertake to meet these losses it would be rather difficult to determine what should be the proper amount of compensation. The packing house men might make a demand for compensation that would perhaps be more than would be fair. Some portions only of hog carcases are condemned, and the loss is sometimes comparatively small on individual animals. But when the staff of inspectors is ample in the various packing houses they could arrive probably at a fair basis of valuation, and I think that the government might fairly undertake to compensate the packing houses, say, to the extent of 50 or 75 per cent of the loss without incurring the danger of paying them more than should be paid. I think that the consensus of this House and the opinion of the country generally would be such as to justify the government in taking the matter up, and, in a measure, compensating those who are compelled to lose on account of the diseases which are to be found to exist amongst animals. Of course, I know there is a great work to be done in the education of farmers in regard to the better ventilation of stables and the better caring for their stock in order to prevent the loss which is occurring from diseased animals, and unless the farmers are made to bear some of the loss perhaps the incentive will not be as strong as it should be to compel them to adopt the best possible methods of caring for their stock. If the packing houses feel that they are only being remunerated to the extent of, say, 50 or 75 per cent, they must pay that much less for the stock which they purchase from the farmers, and the farmers must expect to obtain less for their stock than if it is known that the stock is free, or comparatively free, of disease. The packing houses, after a year or two years' investigation and inspection, can determine fairly correctly what the percentage of loss is. But I think the best solution of this question would be to pay the abattoirs a fair percentage, and the drovers who purchase from the farmers should enlighten the farmers, and the farmers should be led to understand that if their animals are absolutely free from diseases they would obtain even a better price than they are obtaining under the present regulations. I know the government has done and is doing valuable and important work in educating the farmers in the care of milk, and the result is that the conditions under which the milk of this country is now handled are infinitely better than they were some years ago. It is the rule rather than the exception, that in every dairying district in Ontario the stables are thoroughly up to date in every respect, the ventilation perfect, and the dairy properly equipped with every modern appliance. Now, Mr. Chairman, I believe this to be a very important discussion because it deals with the protection of every class of the community. It is a question of very great financial concern also, and anything that can be done by the government to properly distribute the loss as well as to better educate the people must prove most valuable in connection with this branch of our agricultural industry.

Mr. STAPLES. I direct the attention of the Minister of Agriculture to the particular case cited by the hon. member for Wellington as being worthy of further consideration. In that case the farmer lost $1,200 through the neglect or inability of officials appointed by the minister and in such a case it appears to me only fair that the government should compensate the farmer for that loss. An item of $1,200 is a very important consideration to a farmer. I can speak with a good deal of sympathy as to that case because I know a farmer who through the neglect of the government officials lost to the extent of about $1,500. The officials were advised of the case, but it took them four days to get there, and when they arrived they ordered the animals destroyed, but about 20 per cent of the animals had died during the four days' delay. I believe that if that farmer took an action in the courts he would recover damages because of the neglect of the officials of the department.

Mr. SPROULE. On the question of amending the Act in the direction of stamping all food that goes into cold storage, any one who has paid attention to what has appeared in the press during the last few months must conclude that great injury is being done to the trade of the country by the abuse of this cold storage system which amounts practically to a

conspiracy to enhance prices. Then, there is the health aspect of the case, because in my judgment as a medical man, food may be so deteriorated that it becomes unhealthy if it is kept in cold storage for an undue length of time. We had a statement as to the length of time food products are kept in cold storage in Chicago and Kansas, but I saw a statement recently that the carcases of animals were kept for two years in cold storage in Montreal. It is very easy to verify that statement and it should be inquired into. It seems to me that it is the imperative duty of the Department of Agriculture to amend the law so as to compel the stamping of the date upon all food that is put into cold storage, and, providing that it shall not be kept there longer than a certain period. This is an opportune time now to legislate in that direction.

At one o'clock committee took recess.

Committee resumed at Three o'clock.

Mr. SEXSMITH. A matter was brought to my attention some time ago which I wish to bring to the attention of the minister. A farmer sold a very valuable beef animal to a drover. Some ten days or two weeks afterwards the drover, who had taken his cargo to Montreal, sent a notice to the farmer that one of the animals he had bought from him had tuberculosis, and asked the farmer to refund the purchase money. The farmer had no evidence other than the word of the drover that it was his animal that was diseased, but rather than go into a lawsuit he decided to refund the money, amounting to some $80. He asked me if I would bring the matter up here at an opportune time, and find out if some remedy could not be provided for cases of this kind. He had raised a great many beef cattle, and so far as he could see all the animals he sold to the drover were in perfect health. The animal in question may have been his or it may have been somebody else's. I want to bring the matter to the minister's attention, and ask him if he thinks the farmer should suffer the loss of his animal under these circumstances?

Mr. FISHER. Not knowing all the circumstances, I could not say anything about it. I suppose it is a matter for the courts to decide.

Mr. SEXSMITH. It seems to me that a farmer in selling his animals to drovers runs a great deal of risk. When the drover tells him that any of his animals are diseased, he has to lose the money or else perhaps go into court, and if he handles thoroughbred cattle he probably prefers to pay the money than go into court. I should imagine that a drover should be compelled to give some evidence that an animal is diseased, or else notify the farmer immediately after the purchase.

Mr. FISHER. I should think that if the farmer defended himself, the drover would have to produce some evidence before he could collect; but I would not care to give a legal opinion on the matter.

Mr. T. CHISHOLM. What is right and honourable, and just should be law. Now, the government appoint inspectors to inspect meat. They do that for the benefit of the general public. The government, representing the general public, pay these inspectors, and it is through them that the general public receive the benefit. Those who receive the benefit should pay the cost. The government, in appointing inspectors, have gone a certain distance. Any one who employs another person to do work for him, whether the government or an individual, is responsible for what that servant may do under their instructions. When an animal is condemned, there may be considerable difficulty in knowing to whom it belonged in the first place. It is utterly impossible that one hog among 400 or 500 can be traced to the farmer from whom it was purchased. Even if that could be done, a farmer who had any suspicion that the animal was diseased, would not offer it for sale to a drover who would be likely to take it to a point where it would be inspected. The result is that diseased animals are retained on the farm. In that way the present practice really results in propagating disease, because the animal thus retained by the farmer is sold to the local butcher, and by the local butcher to the people of the neighbourhood. Thus meat for export is being inspected while the meat being sold to our Canadian citizens is not being inspected.

Mr. FISHER. Whose fault is that?

Mr. T. CHISHOLM. I am just pointing out what the natural result of the present condition of affairs is. I am not saying that it is anybody's fault in particular. The meat supplied to our Canadian citizens is not inspected. They get the discarded beef, while the inspected meat is exported. The consequence is that if the farmer is made responsible, the result which I have pointed out will naturally occur, while if the government would pay a percentage of the value of the meat that is condemned, when it gets into the hands of the final purchaser, the farmer would not have such a fear to sell his animals, and more effective inspection would take place. I think that the government, as representing the general public, which is being benefited, should pay a percentage, say 50 or 75 per cent, of the value of the animal destroyed. The farmer would not be subject

to the loss. the drover, who now receives cheques which are only payable on certain conditions, would also be relieved, and the man who packs or cans the meat would not be such a heavy loser as he is. I quite approve of the government appointing these inspectors; I am one of those who think that the government cannot do too much along that line. I believe that a bureau of health should be established, and should be put under the charge of a man who would take a position in this country at some future time equal to that of Koch or Pasteur in Eurpoe. I believe we have in Canada young men of enthusiasm who are competent for such a position. Then we would not have so many halting attempts, and failures as we have at the present time. Such a man would make his work his life study, and the result would be that a great deal of good would be done, and a great many valuable lives saved.

Mr. FISHER. My hon. friend says that the local market has all the diseased meat thrown upon it. If it has, that is due to the laxity of provincial or municipal inspection. The municipal authorities have just as much power to inspect as the Dominion Agricultural Department, and if they do not do it, it is their own fault, and I must protest against responsibility being thrown on the Dominion parliament or the Dominion government for a duty which is the duty of the provincial authorities. If that is to be thrown upon us we ought to assume the whole range of provincial legislation and administration. I must protest against the idea that because the provincial government do not do their duty therefore this government should do that duty. If it is their duty, and they neglect it then it becomes the duty of the provincial electors, and supporters of whatever government it may be, Liberal or Conservative, to force that provincial government to do its duty, and not to appeal to the administration of this government to perform a duty which is essentially provincial or municipal. It is our duty to deal with the export trade, and we are trying to do it, and do it effectually, and I believe to-day that the complaints which are being made are largely due to the fact that the local inspection is not as severe as our inspection. Severity of inspection is quite in line with what my hon. friend has said, and I take it he is supporting me in making a severe, and properly efficient inspection. If the local authorities are not doing the same thing, that is no reason why I should be asked to do their duty, and their work.

Mr. THOS. CHISHOLM. I certainly am supporting the minister in having a very rigid inspection, but I am not supporting him in the idea of destroying property for the general benefit of the people of Canada and not making compensation, because the result is that the effect of the loss goes back through the different purchasers until finally it reaches the farmers, and there as a consequence the diseased meat is allowed to stagnate, as it were. I have no doubt the provincial authorities may possibly be responsible, but the result is that the effort that is being made by the minister in these lines is increasing the trouble that we have from the inefficiency of the local authorities if there is such inefficiency. The present system is undoubtedly increasing that trouble. There is no doubt that by throwing the responsibility on the producer, on the farmer finally, the local market is congested with the diseased meat, and a medical man who understands what he is talking about, must understand that it is a very serious thing to the people of Canada. We can better afford to pay a percentage of the cost of this diseased meat when it is found at its final resting place where the animals are slaughtered much better than to have our people living on it and being injured. Those who are benefited should pay. The general public are benefited, and, therefore, the general public should pay the cost. I will not say that they should pay the whole cost, because that might lead to irregularities, but we should certainly pay a percentage of the cost, and it should be paid to those who slaughter the animals. We know it is almost impossible when a steer or fat beast is leaving the farm to know what diseases it may have. When the animal comes to be slaughtered, the defects will be disclosed, and I quite approve of what the minister is doing. His course, however, is having results that he evidently did not intend. I think the chief source of difficulty lies in not paying a percentage on the discarded meat.

Mr. BRODER. I think we are dealing with matters under Dominion Acts that have a local effect. For instance, we have our inspection of canned fruits and canned goods of all kinds. That is an article that enters into local consumption, and yet it is inspected under this government.

Mr. FISHER. When it is for export.

Mr. BRODER. You go into a man's grocery and test his goods as to purity, &c., you deal with them as inspectors.

Mr. FISHER. Not under this Act.

Mr. BRODER. No, not under your department. It seems to me you will never rid the country of diseased cattle until there is some more definite understanding as to what remuneration will be given by the government for animals destroyed. I can quite understand the necessity of guarding against the possibility of extrava-

gant values, &c., that would be imposed on the government if they opened the gate to any considerable extent. The value of animals would increase very rapidly if they were being paid for by the government. A case came to my notice a few days ago on which I would like to have some information. A farmer having a large herd of cattle called a sale and sold to bidders in different parts of the country. It turned out that the cattle were badly diseased with tuberculosis, they went into different neighbourhoods miles apart, into different herds. I know one man who found that the animals were diseased shortly after he purchased them. He called in an inspector, the animals were condemned and killed for tuberculosis. What recourse has that man against the man who sold the animals?

Mr. FISHER. I would not give a legal opinion.

Mr. BRODER. I will have to pay for my law. There is more of this disease in some localities than we are aware of, and I do not think we will get rid of it until we give the people more of an incentive to make it known that their animals have the disease. A farmer battling hard to make a living realizes that if it is known that he has tuberculosis among his cattle, his herd will be destroyed and he will be put out of business. As long as that condition exists, he will not be inclined to make known the fact that his animals are diseased, but if it was possible to arrange it so that the country would not be imposed on, it would be a good thing to grant compensation. If it cost the country two or three millions to get rid of the disease, it would be a wise expenditure.

Mr. FISHER. I do not think that compensation for dead animals would help to get rid of the disease.

Mr. BRODER. It would have some effect. I am aware that ventilation of stables, &c., all enter into this matter, but it seems to me that the other would be a more effective way.

Mr. BRADBURY. Make the farmer raise good cattle.

Mr. BRODER. You cannot make him do that any more than you can make him have good children. It is all very well for men to talk about things as they ought to be, but public men have to deal with things as they are.

Mr. BLAIN. How many inspectors has the minister in Toronto?

Mr. FISHER. Inspectors and assistants in Toronto, about 22 or 23.

Mr. BLAIN. Has the Minister in his department any information as to how the abattoir people pay the cattle dealer for his cattle?

Mr. FISHER. We have no records in the department.

Mr. BLAIN. Does not my hon. friend think that it would be a fair subject for investigation? There might be a tendency toward a monopoly. I have a letter from a constituent in which he states that the abattoir people in the city of Toronto always give a cheque in payment of cattle to the cattle dealer, with the reservation that these cattle must pass inspection, but that the cattle dealer does not give any such cheque to the farmer.

Mr. FISHER. I do not think a case of that kind is a matter for interference on the part of the department. I do not see how we could dictate to people making a bargain or trade arrangement as to what they should do. If there is a combine, then that would be a subject for investigation under the Combines Act. But I do not think it is the function of the Department of Agriculture to investigate a bargain which exists between a cattle drover and the abattoir company.

Mr. BLAIN. I agree with the minister that it would not be the duty of the government, if they found such a state of things, to take any steps to correct it. But I do say that the government could afford valuable information in discussing a question of this kind. If there is such an understanding with the abattoir people, then it removes the loss and responsibility from the abattoir people and places it either upon the farmer or upon the cattle dealer.

Mr. SEXSMITH. I realize that it is a difficult matter to adjust the loss and responsibility between the farmer and the drover. I do not mean to say that a farmer who sells a diseased animal should not lose that animal, he certainly should. But many farmers, such as the one I referred to a moment ago, put animals on the market perfectly satisfied that they are in a healthy condition. I am satisfied that this man I referred to, if he had the least suspicion that an animal was diseased, would never have offered it for sale, because he is a very large breeder, and has some of the best cattle in the province, and it would never pay him to put a diseased animal on the market. Yet the drover goes out into the country and buys 50 or 100 head of cattle and ships them to Montreal, and if he finds when he gets there that some of his animals are diseased, it is unfair to require him to suffer the entire loss. He cannot bring them back to the farmers, because he does not know which farmer sold the cattle. If the government orders those animals to be destroyed, I think they should make compensation in some way.

Mr. CROSBY. This Inspection Act has been on the statute-book for two or three years, and I heard the Minister of Agriculture say, in answer to my hon. friend from Peel (Mr. Blain) that he had twenty-one

inspectors in the city of Toronto. I would like to know how many inspectors he has in the city of Halifax.

Mr. FISHER. I do not think we have any there. There are no establishments in Halifax which have asked for an inspection.

Mr. CROSBY. It is rather an odd thing that, in the city of Halifax, which is quite an exporting town, sending goods abroad from the province of Nova Scotia and also from Prince Edward Island which are sent to Halifax, that this Act has been on the statute-book for two or three years, and we have never had it enforced. We never had any intimation of an enforcement until about two months ago, when the collector of customs at Halifax got instructions not to permit any goods to be exported to any foreign country unless they had the government inspector's stamp on them. This is rather an odd thing to do, after the Act has been on the statute-book for two or three years. It seems to me it would have been up to the government to make some provision for carrying out that Act and to give the people reasonable notice of their intention, so that they might have their goods and canned meats ready for inspection and ready for export. Now we get an intimation from the collector of customs that no goods can be exported from the city of Halifax unless they have the government inspector's stamp, and the consequence is that our export trade is closed up. There is nothing to prevent them selling their goods to the people of Nova Scotia or of any other province; the government apparently does not care whether our native Canadians are killed off or not. But the very instant you start to sell to the West Indies or any other foreign country, that instant the government becomes anxious for the welfare of the foreigners, and proceeds to provide inspected food for them. Some application was made to the department, and a letter was written to the Minister of Agriculture to which he replied, and in his reply he was good enough to say that the junior member for Halifax did not know what he was talking about, and did not know what he was writing about, or he would have known that there was an Act on the statute-book for two or three years that demanded this inspection. Well, all I have to say is that if the government have put that Act on the statute-book and allowed it to be broken for two or three years, I would not like to tell what I think of their action, because the chairman might say I was out of order. But I think it is only fair to ask that those who have been sending goods to foreign markets for two years, should now be allowed at least two or three months in which to dispose of their present season's goods of cured meats and canned goods on hand, and be allowed to ship them to the markets they have hitherto been supplying without any complaint; and then let these provisions be made applicable to Nova Scotia. The collector of customs at Halifax is an excellent officer who has had much experience in the export trade, and I think the government might well have allowed him to exercise some discretion in this matter. I hope that the Minister of Agriculture will see his way, by some method that is reasonable and fair, to permit the export of these goods to go on for a month or two longer. I ask that especially in view of the fact that no complaint has ever been received from the foreign market of the goods supplied.

Another thing is that, as I understand, we have no inspector there. A gentleman in Halifax told me—I will not mention his name, as it is not necessary, and no doubt the Minister of Agriculture or some of his officers will know to whom I refer—that he wrote to the department to have an inspector appointed to inspect the abattoir in which he was killing animals, particularly lambs, and sheep, commencing with the month of May. He was told that he could have an inspector if he made an application; but, on making an application, he was told that he would have to give some guarantee of the quantity he would be prepared to export. I have not the correspondence here, but it could be got within a day or two. While this gentleman kills many cattle and sheep and is to some extent an exporter, a great deal of his product is sold to people in Halifax who are exporters. He frequently sends to other provinces also. I understand that meat of this class cannot be sold in the province of Ontario unless it has been inspected. I am not complaining of the inspection; the only complaint I make is that the people had not sufficient notice of the intention to enforce the Act. I think that, in all fairness, some opportunity should be afforded to our people to get rid of the goods they prepared at a time when it was not generally known that the law would be carried into effect. The collector of customs of Halifax is a man who has the confidence of the people, and I am sure he has the confidence of the government, and I would suggest that the matter be left in his hands in the meantime. It will be a great advantage to the city of Halifax, and to the province of Nova Scotia, and also, I believe, to the provinces of Prince Edward Island and New Brunswick as well.

Mr. FISHER. I do not wonder that the hon. member (Mr. Crosby) should be anxious about the matter to which he has referred. This Act is new to him, but no complaint can be made of him on that score. The facts he has mentioned, while

in the main correct, are astray in some important points. In the first place, the Customs Department was notified of the coming into force of this Act, and the Customs Department, I believe, notified all its collectors. But the customs collector at Halifax does not appear to have taken any account of it, at any rate, no report of export was made to us until recently. We were obliged to draw the attention of the customs collector to the provisions of this Act, and intimate that the law must be enforced. This Act deals with exports, and interprovincial trade only. The people of Nova Scotia, Prince Edward Island, and New Brunswick do as they like about selling animals, or meats within these provinces; that is a matter of provincial legislation and administration;—the subject has been discussed here to-day, though, I believe, my hon. friend (Mr. Crosby) was not present. To facilitate the work under the Act in the maritime provinces, and acting under power given by the law the maritime provinces were regarded as one province for the purposes of this meat inspection law. Consequently, sending from one of the maritime provinces to another would not be considered interprovincial trade under this Act. This was done at the request of the people there. A little while ago—I have forgotten the exact date—a certain firm in Halifax received some goods from Prince Edward Island which they wished to export to the West Indies. The customs collector said they could not export these goods without a certificate of inspection. These goods had not been inspected for the purpose of sending them from Prince Edward Island to Halifax. We are quite ready to inspect goods and to appoint an inspector in Halifax, or anywhere else where there are goods for export business. But the goods referred to in this case were not in condition for our officers to inspect them. We cannot inspect goods which are turned into bacon or packed in cans; inspection must take place not merely of the whole carcass together, but of the carcass with what are called the attachments, the heart, liver, lungs, &c. These goods were in Halifax ready for export and it was impossible for us to inspect them as required under the law. Whenever animals are being slaughtered for export, it is our duty to provide an inspector, and we have never failed to do so. The hon. member (Mr. Crosby) mentions the case of one gentleman in Halifax who asked for an inspector. We asked him whether his goods were for export or not. We have had a number of requests from local butchers to send inspectors, but it is not our duty to inspect for the local market. We asked that gentleman whether he was going to be exporting regularly, so that we would be justified in appointing an inspector for the purpose of inspecting his goods for export. We have not yet received that information. We did not ask for a guarantee. We did not ask for any statement of just how much he was exporting, although we had to ask to find out what his trade was expected to be. That was necessary before we could appoint an inspector because for all we knew the trade might be a local trade and we could not appoint an inspector to deal with that. That is the reason we delayed sending an inspector. When we get that information from that gentleman, and if he shows us that he is engaged legitimately in the export trade, we will provide an inspector at once. That explanation perhaps has given my hon. friend the information regarding the details of this matter, which, of course, speaking from memory, he could not be expected to have, but I can assure him that we are just as anxious to provide all facilities for inspecting in Halifax or anywhere else in the maritime provinces as we are in Ontario. If, to-day, there is no inspection in Halifax it is simply because we were not aware of the existence of packing houses or establishments packing for the export trade. We are ready to give an inspector and to inspect immediately they are doing that trade. But, it is impossible, after the animals have been slaughtered and the meat cut up and packed for us then to inspect it efficiently and be able to judge whether it is diseased or not. That is the reason why we could not give a certificate, for these goods for the purpose of export. That the collector of customs, estimable and competent for his work though he may be, would be able to examine these goods and give a certificate for export is quite out of the question. This can only be done by a properly qualified veterinary surgeon and the Act requires that the certificate shall only be signed by a properly qualified veterinary surgeon. Even though I thought it advisable the statute would forbid me to do it.

Mr. CROSBY. I may not know very much about this Act and I am very glad to have the information which the Minister of Agriculture has given me in regard to it, but I do know something about business. I must say that an Act which has been on the statute-book for upwards of two years and never put in force until within perhaps the last six or eight weeks would seem to me not to be an Act based on very good business principles. I would not consider it good business were I dealing with the affairs of the country, and I would say to the Minister of Agriculture, although he is always busy when he is being addressed by some one from the eastern part of Canada——

Mr. FISHER. I must protest; that is not a fair insinuation. I pay just as much attention to the people from the eastern part of Canada as I do to people from any other part, and if for the moment I was asking a question of my officer it was not because I was not listening to the hon. gentleman.

Mr. CROSBY. When I was addressing the committee a few minutes ago I noticed that the Minister of Agriculture and a gentleman near him were talking all the time.

Mr. FISHER. Because I was asking questions in regard to what the hon. gentleman was saying to inform myself so that I might answer him.

Mr. CROSBY. After the reference that the minister made to me, to the effect that what I said was of very little account, I would think that it would not be worth while to ask any questions of anybody in order to answer me. I confess I do not know much about the matter but I do know something about business. This Act does not strike me as being a very good one any way. An Act, which, while providing particularly for the inspection of all kinds of goods going out of Canada, makes no provision for the inspection of the goods at the time they should be exported, seems a very extraordinary Act. An Act that is on the statute-book for upwards of two years and is never put in force until the last three or four weeks does not seem to me to be an Act to which the government attach very much importance; otherwise, they would have put it in force long before this. That Act having been on the statute-book some three years and not having been put in force, surely the foreign customers of the Dominion would not have suffered very much by that same condition prevailing until the people interested had shipped the goods which they had prepared for export. There are two large concerns in Halifax putting up goods particularly for certain markets abroad. Their brand is asked for and their goods are accepted on the strength of this brand, sold in the markets in competition with goods from every part of the world, and I may add that they compare favourably with goods produced elsewhere. The people of the West India markets to which these goods are principally sent know the goods and they are willing to come to Halifax and buy them. But we cannot sell these goods because they have not government inspection and there is no way of getting government inspection. I quite understand that if you are to have an inspection of swine or cattle the animals must be inspected before they are killed. But there should be some way whereby the people putting up these preserved meats, hams, bacon, &c., should be permitted to ship these goods. When I referred to the collector of customs I did not suggest that he should be allowed to inspect the goods; it was a question of the collector of customs being able to distinguish between a creditable packer, a man who had a reputation of putting up high-class goods, and a stranger who might come in there and about whose goods he did not know anything. The collector of customs might be able to say of the goods of a well known packer: I know these goods, they have always met with commendation, they have been always well received in the foreign market and sold there on equal terms with goods from any other part of the world and therefore they might be allowed to be exported out of Canada without fear of any difficulty or trouble arising. That was my reason for referring to the collector of customs. The Minister of Agriculture states that the Act has been on the statute-book and that the collector at Halifax did not put it in force. All I have to say in regard to that is that the customs house at Halifax is a very important custom house and the collector is a very important man, perhaps second to none in the Dominion. I am quite sure that if he had been notified by the Department of Customs or the Department of Agriculture he would have carried out the instructions of the department, but not having been notified he did not know anything about this Act until about three or four weeks ago and therefore the Act has only recently been put into force. The Act, having been on the statute-book for two or three years and it not having been put in operation, surely this condition can be continued for a month or six weeks to give the mercantile community of Halifax, Nova Scotia and perhaps New Brunswick an opportunity of getting rid of the goods which they have put up for certain markets. These markets want them, their customers want them and are ready to take delivery in the city of Halifax and it is unfair that the government should prevent trade and commerce in this way.

Mr. MACDONELL. I would bring to the attention of the minister what is at least one inequality in the working out of this Act. It seems to me that the person who is really hurt by the operation of the Act has not yet been heard, because the man who loses the money as a result of the inspection of meat, is the packer, and I think I can safely say he is the only one who loses. Inspection takes place only with regard to meat for export, and it takes place in the abattoir, where the packing is done. The number of packers in Canada is comparatively few, but they have reasonably large establishments, and it is quite impossible for them to tell from whom they buy any particular lot of hogs

or cattle. They certainly cannot identify from whom they purchase the hogs and generally speaking it is not reasonably possible to identify from whom the cattle are purchased. As these animals go through the various stages of slaughtering and packing the inspector stands there and condemns a whole carcass as tubercular, or he may only condemn parts of that carcass, and the meat so condemned is rejected, and its value lost to the packer. The packer has no guarantee or warrant, and he cannot look to the drover from whom he bought, so that he alone is the loser. I quite approve of a proper inspection of meat for export, so that our exports may be all of first-class quality, and in so much as that commodity is an advertisement for the trade of this country generally, it is not just that the packer should be the man who has to lose everything. It seems to me that the system of government compensation for slaughtered animals should in some way be extended so as to compensate the packer. His establishment is a clearing house for diseased animals, and as it is in his possession the meat is found when it is condemned, he is the loser. I am not altogether of the minister's opinion that this is not a matter for Dominion interference. Under section 95 of the British North America Act, the Dominion has concurrent jurisdiction with the provinces in all matters regarding agriculture, and, if the minister takes control to regulate the export trade under the authority of the trade and commerce provision of that Act, I do not see how he gets away from the responsibility of protecting the public against diseased animals, under the clause which gives the Dominion control over agriculture. Then again, if it be a misdemeanour to have diseased animals for sale in one's possession, it would come under the Criminal Code, which would give the Dominion jurisdiction. I hardly think the Dominion government can clear its skirts by saying that it has no authority to inspect meat for domestic consumption. Look at the conditions: a man is engaged in the business of slaughtering hogs, which he sends to all places within a certain province, and he is not subject to inspection, but his next door neighbour, who packs for export or interprovincial trade, must submit to a rigid inspection. The inequality is so glaring that I do think the government should take the matter into consideration, and, if possible, equalize the present conditions. The farmer is not hurt, because any diseased animals he disposes of he gets paid for.

Mr. A. W. SMITH. What about those he cannot dispose of?

Mr. MACDONELL. He would have to bear the loss, I suppose, in such a case. But, even where the government orders his animals to be destroyed, the farmer gets some substantial compensation.

Mr. A. W. SMITH. They do not get compensation in some cases.

Mr. MACDONELL. But that is the law.

Mr. FISHER. They get compensation if the slaughter of the animal is ordered by one of our inspectors.

Mr. McCOIG. The hon. gentleman (Mr. Macdonell) is mistaken as to compensation being paid for hogs. If the hogs are alive and they are condemned to be destroyed, the farmer gets compensation, but he does not get any compensation if the dead hog is rejected by the government inspector. In that case he has to stand the loss just the same as the packer.

Mr. MACDONELL. It is only in cases of packing for export that inspection takes place, and therefore it can only be in such case that rejection takes place.

Mr. McCOIG. The farmer gets some compensation when live hogs are condemned, but he gets no compensation when dressed hogs are condemned.

Mr. FISHER. The farmer may kill his hogs and send them dressed to the market, and if it is found that these dressed hogs were diseased the farmer would not get compensation any more than the packer.

Mr. MACDONELL. It is quite impossible to make an efficient inspection unless the inpsection takes place right when the animal is slaughtered. At all events, it seems to me the present condition is unfair to the packers, and the whole subject is one which should be properly considered. There is no question but that it is a matter which the Dominion might work out, possibly in co-operation with the provinces. But inspection for home consumption is not necessary, and it is a very invidious distinction that the people who consume our products in the foreign markets should be protected, and that Canadians should be left without protection. I may have eaten meat to-day which was not fit for food, but I am not in a position to know whether it was or not. Of course I escape that risk one day in the week, and as the Minister of Agriculture probably indulges in meat seven days in the week he probably may be taking a greater risk than I do. However, I think there should be inspection of meat for home consumption. That shows that the man who buys for export buys the best meat he can get. He buys, if possible, superior meat to that bought by the man who slaughters and sells locally. It is not desirable that this should be. If inspection is good for foreigners, to whom we sell our meat, surely it is good for our own people. The whole

matter is one which I think should fully engage the attention of the government, with a view to devising some equitable law which might be worked out if necessary in co-operation with the provincial authorities.

Mr. STRATTON. I have listened to the discussion that has been going on for the last three hours upon this subject, and with many other hon. members I have come to the conclusion that the government should do something to meet a condition that is unfavourable, not only to the packer, but to the farmer as well. There is no doubt in my mind that if a proper inspection were made of all the meats in the packing houses, and if the government assumed a reasonable responsibility for the loss sustained by either the packer or the farmer they would be doing what the public expected them to do. I have no doubt that the minister is endeavouring to do the best he can under very difficult conditions, and I have been hoping that something would be arrived at to meet the conditions complained of by some hon. members to-day. I have felt, whether my judgment in the matter is right or not, that if there were a system of inspection and compensation, the packer would be able to pay to the farmer a better price for hogs or cattle than he is paying at the present time, although there is not much reason to complain of present prices. I have been in packing houses where I have been surprised at the large number of diseased animals that have had to be destroyed, and the meat of which has not been disposed of to the public for consumption, either for export or domestic use; and I have endeavoured to see whether it would not be possible to have these animals ear-marked, so to speak, so that it might be known from what drover or from what locality they came. While that might be possible, it would be very difficult. I hope that the Minister of Agriculture, who usually works out these problems in a satisfactory manner, will be able to devise some method by which the packers shall be properly compensated for diseased animals ear-marked, so to speak, and destroyed in the public interest. In this event the buyer would be in a position to offer better prices since he would be assuming no risk of having his profits decreased by the possible destruction of diseased meat.

Mr. McCOIG. I agree largely with what the hon. member for South Toronto (Mr. Macdonell) has said in regard to allowing compensation to packing concerns for diseased carcases or hogs or cattle; but the packing houses are not the only parties who should be considered in this matter. We have in the southwestern part of Ontario a large number of farmers who themselves go quite extensively into the dressing of hogs. These dressed hogs are inspected by the government inspectors at the different shipping stations, and when a hog is found by a government officer to be wholly diseased, it is sent back to the farmer who is shipping it or is destroyed on the spot, and the farmer suffers the entire loss, not the packer or the buyer. So that if the government are considering the advisability of compensating the drover or the packer they should not overlook the farmer. The hon. member for Halifax (Mr. Crosby) found fault with the government for allowing interprovincial trade between some of the provinces in meat that has not passed government inspection. I may say that we in Ontario would like to have accorded to us the treatment which the hon. gentleman is objecting to for his particular province, that is, allowing it to trade in uninspected meat with Prince Edward Island, New Brunswick, or some of the other provinces.

Mr. CROSBY. I did not say that we were allowed to do anything of the kind.

Mr. McCOIG. I understood the hon. gentleman to say that an interprovincial trade that was not subject to government inspection was allowed between some of the provinces.

Mr. FISHER. Between the three maritime provinces.

Mr. McCOIG. That is what I understood; and the very conditions which the hon. member for Halifax was finding fault with in this particular section of the country are the conditions which we would be glad to have in the province of Ontario, under which we could trade with the province of Quebec in our heavy carcases of dressed hogs without government inspection; and if the government continues to allow the maritime provinces the privilege in that respect which they are enjoying at the present time, I hope they will extend the same privilege to our province. If they do, I feel sure that their action will meet with general satisfaction. We do not ask for favours which other provinces are not getting; but if Nova Scotia is granted the privilege of sending its meat products without government inspection to other provinces, the producers and packing houses of the province of Ontario will be placed in an awkard position if they are not granted the same privilege. If the government consider the advisability of compensating packing houses for the loss of diseased carcases, I hope they will also take into consideration the advisability of compensating the producer, who at present very often is obliged to lose carcases of dressed hogs which are rejected by the government inspectors.

Mr. FISHER. What my hon. friend from South Toronto (Mr. Macdonell) has said about the packers was most vigorously denied this morning by the hon. member for North Simcoe (Mr. J. A. Currie) and the hon. member for Peel (Mr. Blain), who stated that the packers did not suffer the loss, but that the drovers did. That is a matter I know nothing of; it is a matter of private agreement between the packers and the drovers or between the drovers and the farmers. The different information given to this House this afternoon is a clear indication that we have not any decisive or accurate information to go upon. I want to say a word on the general question of compensation. If we once began to pay compensation for meat, not living animals, we would, as the hon. member for West Kent (Mr. McCoig) says, have to pay compensation for any animal that any one might find diseased—the farmer, the butcher or the packer. If we do that we may be perfectly certain that hundreds of animals will be killed, and dressed which the owners who killed and dressed them knew perfectly well were not fit for human food. We will have to pay hundreds and hundreds of thousands of dollars for animals, which before they were killed would be known to be unfit for human food. I would be glad to pay compensation wherever it seemed justified, but I again point out that when we were discussing the payment of compensation for animals killed I was warned by hon. gentlemen opposite, and by some on this side that there was great danger of a large expenditure of money with no particular advantage to the public, and that we must be very careful to safeguard the public against that kind of thing. I would not like to propose an amendment to the Act providing for compensation of this kind without having some shrewd suspicion of what the cost would amount to. When asking for authority to pay compensation for animals slaughtered on account of disease I was able to estimate the probable cost, and I am glad to say that experience has shown that the estimate was fairly accurate. Losses of this kind in the case of dead meat should be arranged by private bargain between the buyer and seller. If we took authority to pay compensation for dead meat we should logically pay for fruit, vegetables, &c., condemned, and the cost would undoubtedly reach half a million dollars which I am sure parliament would not endorse.

Mr. HERRON. I have had some requests along the line of the discussion this afternoon. I think it is strange that men who come under the operation of this Inspection Act should be the entire losers of animals condemned when it is done to protect the trade of Canada for beef, and hogs. I do not see why a man engaged in that line of business should be the entire loser. He is an innocent party just as the man who has live animals killed on account of disease. In that case you compensate to the extent of two-thirds the value of the live animals slaughtered to protect the public against disease, and there has been no complaint against the government compensating people who are unfortunate enough to own such animals. I do not see why you should not be prepared to compensate an innocent man for loss in the case of something that is done to protect the lives of people just as in the case of guarding against the spread of disease among live animals. The arguments in favour of compensation are even stronger. I think the country would be justified in paying the amount. I understand this question was laid before the Prime Minister, and the Minister of Agriculture last summer, and the government gave very favourable replies to those asking that such compensation should be provided for. As far as I am able to see, the minister is not making any provision for it in this Bill. It is also strange that wholesale dealers trading in, and slaughtering stock to be consumed by our own people are not brought under inspection to the same extent as men engaged in a larger business for export. One is as important as the other, and they should be treated alike. I would like to see the minister provide compensation for the man who suffers heavy loss in order that the trade of Canada may be protected, when he meets with this serious loss in an innocent way.

Mr. CROSBY. I did not rise to oppose the Act, but to try if possible to secure the removal of an interruption of trade brought about by certain conditions. My hon. friend from West Kent (Mr. McCoig) evidently misunderstood me. I did not state that we have an interprovincial trade. We may have, and I understand from the minister that we have, but the province of Prince Edward Island sometimes sells products to merchants in Halifax or may send them there for export. On that we have no complaint. The complaint I made if any was that the products of the slaughter house or meat preserving factory or canning factory were permitted to be sold to the local dealers, and those living in the province even if they were not fit for export. The minister says that the province ought to attend to that. The contention of the hon. member for South Toronto (Mr. A. C. Macdonell) is that if the power lies not with the Dominion government, but with the provincial government, and the provincial government does not make provision, it must reasonably fall to the Dominion government if there be an Act for food inspection to put

it into operation wherever there does not seem to be a local Act in force or else to ask the local government or authority to bring in such an Act. I am not contending about that, my contention is simply that we had an interruption of trade and commerce. The most beneficial trade is the export trade, and it should be properly guarded. My hon. friend will say that is why he has brought in this Act. Perhaps that is a good reason for having the Act. But here we have a trade and commerce that has been going on for many years, and the suspension of that trade might be delayed for two or three weeks in order to allow men in the export trade to have an opportunity to ship goods they have on hand. The people of the West Indies are ready to take these goods, and to pay for them. I would like it distinctly understood that I am not complaining of the Act. It is all right to have the Act in force, and we do not ask for any treatment different from that given to everybody else. But, when there has been a delay in the enforcement of the law, apparently through somebody's neglect—not that I am trying to cast blame on anybody—I think it is only fair to allow those concerned a short time to adapt themselves to the new conditions under the law.

Mr. HENDERSON. Does not the minister intend to strike out the word 'goats' in this section? He might as well include dogs.

Mr. FISHER. We know that goats are slaughtered, and, if a goat carcass should happen to come before us, with this word in the law, we could deal with it.

Mr. HENDERSON. It is generally rumoured that dogs are slaughtered.

Mr. FISHER. I do not believe that they are slaughtered for food purposes.

Mr. SPROULE. Does the minister intend to make clearer the definition of the word 'farmer'?

Mr. FISHER. If my hon. friend (Mr. Sproule) would suggest a change, I will be glad to consider it. The clause was drafted by the law clerk and is supposed to be as good a definition as we can make.

Mr. SPROULE. Take the case of the hon. member for South York (Mr. W. F. Maclean). He is a journalist to all intents and purposes, yet carrying on farming quite extensively, breeding, growing and fattening animals. But farming is not his recognized occupation. Would he come under this definition?

Mr. FISHER. The hon. member (Mr. W. F. Maclean) is recognized as a journalist, but recognized also as a farmer. I am glad to say that farming is an occupation so attractive that many engage in it with their other occupations. But such people, I think, are recognized as farmers. There are many members of this House who are engaged in other occupations, who yet claim the right to be considered farmers.

Mr. SPROULE. It speaks of 'his recognized occupation.' Can a man have two recognized occupations at the same time under the law?

Mr. FISHER. I think so.

Mr. SPROULE. I should feel surer of it if some eminent lawyer in the House endorsed that opinion.

Mr. FISHER. It is quite a common thing in legal documents to have a man described of two occupations. I recall the case of a man being described as a 'farmer and mill-owner.'

Mr. HENDERSON. If this man should slaughter hogs, what would be his occupation?

Mr. FISHER. He is a farmer.

Mr. HENDERSON. I am afraid that is one of these things we will have to let go; I do not think we will get anything that will exactly fill the bill.

On section 3,

Mr. FISHER. This provides for the striking out of certain words in the existing law. The words to be struck out are 'animals slaughtered by retail butchers on their own premises.' This is a section which allows farmers to slaughter without an inspection. At first it was supposed that retail butchers might be included, but we have found that retail butchers have been entering into the wholesale trade while free from the provisions of the Act, and it is necessary that they should no longer have the privilege which was intended originally for farmers only. The striking out of these words will prevent retail butchers from exporting from one province to another without inspection.

Mr. HENDERSON. The minister, I understand, has a law clerk in connection with his department, or some person to draft a Bill?

Mr. FISHER. We have left that to the Justice Department or to the law clerk of the House.

Mr. HENDERSON. It would not have been much trouble to draft a new Bill and repeal the old one. If that were done, the Act would appear in the statute-book in a form intelligible to every farmer, butcher or any one else. I think this is the most miserable way of putting through legislation. I am sure the minister will see the propriety of what I say. After you have found what this Act says, you have to hunt up another statute. Then, you have to put the two together and patch them up, so that it will take almost a day to learn what might be learned in two minutes. It

would be very little trouble to repeal the old Act and enact a new one, for the law is not a long one. I am sure it would be much more acceptable to the people.

Mr. FISHER. If that were the general practice of the House, I should be glad to follow it. But the custom is where the amendments are not long or important, to do the work in this way. The amendments in this case are almost wholly minor amendments. I think the one we have under discussion is the only one that affects any class of people directly; the others merely have the effect of making the administration of the law more easy.

Mr. HENDERSON. But does the minister himself think that my plan would be better? The people in the country may not have the statutes. They send down here and ask the King's Printer for a copy of the Act, and instead of getting one they get two. Why do not the Department of Justice, and the law clerk of the House of Commons get together and once for all accomplish the whole thing? If it is not the usual practice, I think the minister could inaugurate a new system.

Mr. FISHER. I will consult with the Justice Department about it.

Mr. BLAIN. Could the minister tell me what proportion of the cattle that are exported from Canada are inspected?

Mr. FISHER. All live cattle that go across the water are inspected.

Mr. BLAIN. Why not those going to the United States?

Mr. FISHER. The trade in live cattle to Great Britain is so much more important, and the British authorities are so particular about the landing of animals there we have to see that no animal affected in the slightest degree with disease is sent across the water. Unless we did that we might be shut out from their market.

Mr. BLAIN. At what points are export cattle inspected?

Mr. FISHER. At different places, but they are finally inspected when they go on board ship. Those that go by United States ports from Canada to Great Britain are inspected in Canada.

Mr. BLAIN. Are we then to understand that it is impossible for an exporter to send cattle from Canada to the old country without a rigid inspection?

Mr. FISHER. Quite so.

On section 12,

Mr. FISHER. This section is practically the same as in the old Act, but it gives the authorities access to the books and bills of lading of the firm, so as to be able to check their exports, and to see that everything they send out of their establishment has been inspected in accordance with the law.

On section 13,

Mr. SPROULE. I would suggest as the interpretation of the word 'farmer', a person whose recognized occupation is farming, because he might be engaged in more than one occupation.

Mr. FISHER. The intention of this clause is to prevent men who are dealers having the advantage of it. A dealer might have a little piece of ground and pretend to be a farmer. But still I would not think there was very much objection to the suggestion of my hon. friend.

Mr. SPROULE. It would be a rare thing for a man to occupy a small piece of ground and palm himself off as a farmer if in reality he was not doing the general work of a farmer in all lines. But, if a man is doing the usual work in all lines of a farmer he is entitled to be considered as a farmer.

Mr. FISHER. I would not like to change it without consulting the law officers.

Mr. SPROULE. Could it not be left an open question while the minister consulted the law officers?

Mr. FISHER. The Bill might go out of committee and on the third reading the amendment could be introduced.

Mr. SPROULE. That would be all right.

On the preamble,

Mr. LEWIS. I see that this Bill refers to canned goods. I have here a number of labels with reference to canned articles which are, to a certain extent, deceiving the public. I do not wish to present these labels to the House because there are a great many others probably of the same character, and it might affect individual firms who may be actually within the law. But I would ask the minister if he could not see his way clear, while this Bill is under consideration, to add something in reference to this matter. I have here a label which says: 'Unfermented native wine'. This is a label placed on goods which are being sold by a firm in Toronto and elsewhere for medicinal purposes. One would judge that the ingredients are the produce of the grape, but this is not so. Here is another: 'Fine domestic port.' You would infer from that that this was manufactured from the juice of the grape for medicinal purposes. I merely suggest to the minister that something should be done to cover this point, and I would ask if he could not do it in connection with this

Bill. I would suggest that any article which is canned or bottled must bear a label declaring whether it is a mixture or a pure product, or whether, as in the case of these wines, it is from the grape or otherwise. Large quantities of these mixtures are being bought for use by the sick, I believe, under the impression they are juice of the grape. I would also propose that the label on canned articles should bear the date of their manufacture. The label should specify exactly what is contained in the can, and the date at which the goods were canned, so that the inspector would be able to form some idea as to the age of the goods.

Mr. FISHER. Goods such as my hon. friend describes do not come under this Act at all. They would come under the Adulteration of Foods Act, which is under the administration of the Inland Revenue Department. I think that any such statement as that which my hon. friend has read from those labels would render the parties responsible for them liable to attack under the Adulteration of Foods Act, on the ground of misrepresentation. However, I would not like to give a legal opinion.

Mr. LEWIS. My remarks as to the age of canned articles would apply to this Act, would they not?

Mr. FISHER. The question as to requiring the date to be placed on canned goods was discussed for a long time upon the introduction of this Bill and parliament decided against requiring it to be put on the cans.

Mr. SPROULE. Speaking earlier on this question I suggested to the minister the wisdom of making some amendment to the law or some provision with regard to labelling meats in cold storage and putting upon them the date on which they were placed in the cold storage. Has the minister considered that question? It seems that this is a very proper place to bring it in if he desires to do so. The information which we have justifies action by the government or parliament with reference to this very question. It is an evil that is perhaps much greater in its proportions than we are aware of, but what has been brought to our notice justifies some provision of law to compel the stamping of the date on the goods at which meats were put in cold storage, and also a provision as to the length of time it was held in cold storage before being disposed of.

Mr. FISHER. I do not think that at the present time we have sufficient information to go upon to enable us to introduce any such legislation. I see a great deal of that subject in the press and I know that it is attracting a great deal of attention. But, I am prepared at the present moment to express a very positive opinion upon it. I have always understood that some goods in cold storage might deteriorate while other goods might not. If some goods were kept in cold storage for a few months they might be unfit for human food while in another case they might be there for a year and be perfectly good. I do not know enough about it to express an opinion or to undertake to draft any legislation upon the subject. Whether such legislation ought to come in connection with this Bill or not I am not certain. It is of another character and yet perhaps it might come within the purview of such an Act as this. It is a large subject and I have not come to any conclusion upon it.

Mr. SPROULE. Is the subject not of sufficient importance to justify the minister in making careful inquiry in regard to it, because the allegations are so specific that if they be true there is no doubt that it is one in which this parliament should act. Take, for instance, the statement in regard to the length of time that carcases have been held in cold storage; 2,000 carcases were held in cold storage in Montreal for two years. That is a specific statement which is capable of being verified or disproved.

Mr. FISHER. I do not think that it is accompanied by the allegation that these carcases are unfit for use. They may be, or they may not be; I do not know.

Mr. SPROULE. I do not say that it is, but I say as a medical man, that unless the temperature was kept absolutely below a given point and not allowed to go up and down, as it very frequently does in cold storage places, that article would be unfit for food after a given time.

Mr. FISHER. I think so.

Mr. SPROULE. But even though the quality of the article might not have been deteriorated to any extent, does the minister not think that the very fact that it is kept in cold storage for that length of time, during which foods are very dear and the public is prevented from using it and that it could only be held for one purpose and that is for the purpose of trying to control the market, would justify the passing of some law to prevent that being done? Would the minister not think that that would be of sufficient importance to justify him in making some law to control that and to say that goods shall not be kept in cold storage beyond a reasonable time before being sold?

Mr. FISHER. There are two points which my hon. friend has brought up and which are entirely different. One is as to whether food is fit for human consumption after a certain time. That is a question of public health and perhaps might come

under an Act such as this. The other is a question of affecting the market price. That is entirely apart from the question of whether food is fit for human consumption and that certainly would not come under an Act in regard to the inspection of food. It is another question whether such legislation ought to be passed.

Mr. SPROULE. The inspection of food for export is for the benefit of our trade generally. If food is kept in cold storage for a few years and is then exported, has the minister any guarantee that the food is perfectly wholesome? The minister has a perfect right to deal with that class of exports.

Mr. FISHER. On the question of quality, yes.

Mr. SPROULE. And as one object of cold storage is to enhance prices, could the minister not get at that practice under the law which deals with restraint of trade and unduly enhancing prices?

Mr. FISHER. Possibly, but that has nothing to do with this Act.

Mr. SPROULE. To my mind this is the proper place to put in a clause dealing with the abuses which exist in reference to cold storage.

Bill reported, read the third time, and passed.

GOVERNMENT ANNUITIES.

Hon. W. S. FIELDING moved the second reading of Bill (No 155) to amend the Government Annuities Act, 1908.

Mr. SPROULE. Explain.

Mr. FIELDING. This Bill has been carried through the Senate by the Minister of Trade and Commerce, and is designed to provide some improvements in the Government Annuities Act which have been found to be necessary. The amendments are not very important, but they will help to make the system work more simply. One change is the provision that one may buy an annuity, not merely for himself, but for another. The law now provides that the purchaser of an annuity may contract for an annuity to himself, but it is desired that he may have the privilege to buy an annuity for another person. For example, a missionary society may desire to make provision for an annuity to a missionary, and there are many other cases of that character. Another amendment provides that a contract may be made for a fixed period; you not only make an arrangement for an annuity to a man during his lifetime, but you may make an arrangement that that annuity may be paid to some one for a fixed period, and if the annuitant dies in the meantime, the annuity may be continued to some other person designated by him. Another provision is with reference to annuitants far advanced in life. At present, an annuity may be granted to a person above 80 years of age, but if he were 85 years old he would pay the same amount as the man 80 years old, whereas the former, of course, should get the cheaper rate. There is a provision in the existing law that the husband may convert a portion of his annuity for the benefit of his wife, and this amendment proposes that the wife shall have the same privilege of converting part of her annuity for the benefit of her husband.

Mr. BLAIN. What amount is in force?

Mr. FIELDING. The number of annuitants outstanding is 644, of which 374 are males and 270 females. The purchase money received to date is $483,359.44; the amount of the annuities represented by this payment is $160.500, and the average annuity $250.

Mr. BLAIN. Can you give that information by provinces?

Mr. FIELDING. A statement to that effect could be prepared. Applications have come from every province in the Dominion, and from the Yukon.

Mr. BLAIN. How many men are out soliciting annuities?

Mr. FIELDING. There are four men and one lady in Ontario, one in New Brunswick, one in Nova Scotia, two in Quebec, in all, 9 agents.

Motion agreed to, Bill read the second time, and House went into committee thereon.

On section 1,

Mr. SPROULE. I understand that annuities may be obtained through postmasters, but have you recognized agents who are paid a commission for soliciting annuitants?

Mr. FIELDING. The agents are all paid salaries and travelling expenses, but the postmasters and other officials who send in business are paid a commission at the rate of one-third of one per cent on the amount of money which they collect or receive.

Mr. HENDERSON. What officers are employed by the government at headquarters for managing this branch of the service?

Mr. FIELDING. There is a return already before the House giving information in every detail. In the office at Ottawa there are twelve clerks.

Mr. HENDERSON. What is about the gross expense here?

Mr. FIELDING. From $12,000 to $15,000 is the expense of the salaries at Ottawa.

On section 2—purchaser defined,

Mr. FIELDING. The purpose of this is to enable a purchaser to provide an annuity not merely for himself, but for another person, as a father for a child. This broadens the definition of purchaser so as to cover that point.

Mr. BLAIN. How will this affect those who have already taken out annuities?

Mr. FIELDING. There have been several contracts made that would come within the amendments, and section 9 makes this Act apply to annuities entered into prior to the passing of this Act.

On section 3—sale of annuities authorized,

Mr. FIELDING. This is a re-enactment of the section. It is so worded as to make it clear that an annuity may be granted not merely for the life time of the annuitant, but for a definite period, so that the annuitant, in anticipation of death, might arrange that the annuity should pass to some other person for the term of the annuity.

Mr. BLAIN. Will a person now having an annuity under the original Act have a right to convert it under the proposed amendment?

Mr. FIELDING. Yes, if he deems it desirable.

On section 4—payments by purchaser,

Mr. FIELDING. This refers to contracts made by employers for the benefit of those in their service. The clause as it formerly stood rather restricted their freedom of contract. This broadens the arrangement and enables the employer to make any contract respecting an annuity which is satisfactory to himself and the person concerned.

On section 9, application of the Act.

Mr. BLAIN. I understand there is no medical examination required in selling annuities.

Mr. FIELDING. No.

Mr. SPROULE. There is no examination of the physical or mental condition of the individual.

Mr. FIELDING. I am told that there is no medical examination for annuities. It is not thought necessary. Of course, if the annuitant is not in good health and dies at an early period, he and his estate are the sufferers.

Mr. SPROULE. But you have provision that in some cases after his death the annuity may go to some one else?

Mr. HENDERSON.

Mr. FIELDING. For a limited period. In regard to life insurance, medical examination is important, but in annuities, a medical examination is not deemed necessary.

Bill reported, read the third time, and passed.

CONSERVATION OF NATURAL RESOURCES.

Mr. FISHER moved the second reading of Bill (No. 185) respecting the Commission for the Conservation of Natural Resources. He said: Only one or two small changes are proposed. One is to allow the annual meeting to be held in a different place than Ottawa. Another is that the chairman of a committee can summon a meeting of such committee at any time, and that when a committee is summoned members of the committee attending its meetings may have their disbursements paid as in the case of the annual meetings. Another provision is to make mail matter addressed to the commission free of Canada postage.

Mr. ARMSTRONG. I would ask the Minister of Agriculture (Mr. Fisher) whether he has taken into consideration the clauses that I suggested should be added to this measure.

Mr. FISHER. I read carefully the amendments proposed by the hon. member (Mr. Armstrong). I have thought that something of the kind he suggests might be quite proper, but I fear that amendments as proposed by the hon. gentleman would have the practical effect of making such a commission as this impossible. His proposals are so drastic that I am sure nobody would accept a position on the commission to be hampered in his private business in the way these amendments would make inevitable. It is well worthy of consideration whether some such amendments might not be properly adopted, but I confess that I have not had time or opportunity—nor has the chairman of the commission—to draw up amendments that would be proper, and feasible, and practicable. I am not prepared to give a legal opinion concerning the amendments proposed, but I am under the impression that, if they were passed, no member of the commission could hold stock in a mine; I doubt if any could hold stock in a railway company. I fear that the amendments proposed are of such a character as to be entirely unworkable.

Mr. ARMSTRONG. I am afraid the Minister of Agriculture has not investigated the matter or he would have found the opposite of what he has stated. Of the amendments I have suggested to this Bill, one

is taken from clause 14 of the Geological Survey Act—which seems to be a workable Act—and the other from clause 376 of the Railway Act. These clauses are practically embodied in the amendments I have suggested. When the minister says they would have the effect of prohibiting a member of the commission from undertaking any work of his own, I do not see that anything of that kind is indicated. The position is simply this: At present, the door is wide open so far as these commissioners are concerned. The commissioners can expend any quantity of public money in developing certain resources of this country, investigating mines or timber tracts, and they can then make these their own practically, and without any one to forbid them. But if the amendments I propose were embodied in this measure, there would be no further trouble in that regard. I sincerely hope that the minister will see the wisdom of the position taken in regard to this matter, and will embody these provisions in the Bill.

Mr. SIFTON. The question which my hon. friend (Mr. Armstrong) has brought before the House is undoubtedly an important one. If the commission of conservation is to serve a useful purpose for the people of Canada, the law relating to it must be of such a character as will give both Houses of parliament, and the people generally full confidence that the commission will not be made use of for any improper purpose. The idea which apparently runs through the Act constituting the commission, and which must be taken to express the mind of parliament upon the subject, was that men of affairs should be induced to act upon this commission gratuitously, and give the benefit of their judgment, and experience in the public interest. Every one will admit that the usefulness of the commission would be gone at once if there was the slightest suspicion, or could be the slightest suspicion, that any information which was gained or collected by the commission would be used, or is likely to be used, for any private purposes. But, let me point out to my hon. friend that the provisions of the laws which he has incorporated in his Bill are provisions which relate to branches of the Civil Service, they govern the employment of men who are technical employees of the government, who are paid a salary by the government which compensates them for their whole time, and the condition of their entering the services of the government in these classes of work is that no other business or calling shall be followed, and therefore, it is an easy matter to provide that these employees shall not make use of information to make investments which information has been secured in the course of their official employment. But the members of the commission of conservation are not civil servants or salaried employees of the government; they are business men, a considerable number of whom are engaged in affairs in a large way, and to whom the application of such a rule would be absolutely impossible. Let me give an illustration. Senator W. C. Edwards is chairman of the committee on forestry, and is giving a considerable portion of time to the work of the commission. He is recognized by everybody as an able, and experienced business man, a man very well qualified to do what he is doing, and to render valuable public service, a man, moreover, whose time is extremely valuable, and who if he gives his time to the public service does so at a very considerable financial sacrifice. Senator Edwards is a lumberman. If I read the hon. member's (Mr. Armstrong's) amendment aright, Senator Edwards could not buy another timber limit, and remain a member of the commission.

The hon. member for West Toronto (Mr. Osler) is chairman of the Committee on Public Health. He has been giving a good deal of careful consideration to the important branch of the work which he has undertaken to supervise. The hon. gentleman (Mr. Osler) is a director of the Canadian Pacific railway, and I think, a large stockholder. The Canadian Pacific railway deals in natural resources—mines water-powers, and so on—on a very extensive scale. I doubt that Mr. Osler could buy another share of Canadian Pacific railway stock without making himself liable under the provisions of the Act. My hon. friend must remember that provisions of this kind, drawn in general terms, are very far-reaching. There is no difference of opinion between the hon. member (Mr. Armstrong) and the minister in charge of the Bill, or myself, or, I imagine, any member of the commission. What we would desire, and I think what we would insist on, will be that the law must be in a condition that is satisfactory to parliament. I would not, speaking for myself, remain in the position of chairman of the commission for a minute if I thought that the sentiment of parliament on the other side of the House was that the law was not in a perfectly satisfactory condition, or that the House generally was not satisfied with the condition of the law. Certainly, I do not think the members of the commission would hold their offices under a statute which was forced through by a government majority against the wishes of the members of the opposition. That would be entirely contrary to the spirit in which the commission is organized, and in which, so far, it has been, very happily, carried on.

I would make a suggestion to my hon. friend the minister. I am speaking as a lawyer who has had some experience in

drawing statutes of various kinds, and I think you will find it very difficult to draw a provision which, when thoroughly considered, will prove to be satisfactory in regard to a matter of this kind. It will take a good deal of time and discussion, and I would suggest to my hon. friend that he, and perhaps the leader of the opposition, and the minister who has charge of the Bill, and myself, with perhaps one or two members of the commission, should get together and discuss the matter, and see if we can work out a provision which will be satisfactory; omit it can be fully and carefully considered, and brought in at the next session of parliament, and made a portion of the law. I do not think that the object can be attained without very careful consideration. I do not think that my hon. friend (Mr. Armstrong) himself, would like to enforce an amendment which would have the effect of making the members of the commission feel that it was not safe for them to continue their ordinary business. In such a case as that they would simply resign from the commission, and a work which has been happily commenced, and with an augury of a considerable amount of good to the public, would be practically destroyed.

Mr. ARMSTRONG. I wish to say distinctly I had no other object in view in bringing forward this measure than to promote the public welfare. I would like the hon. member for Brandon (Mr. Sifton) be good enough to tell us whether he thinks that the present measure safeguards the people's interest sufficiently, and what suggestions he would make.

Mr. SIFTON. I do not know exactly what my hon. friend means. There is no provision in the Act as it stands at present which in any way relates to what the members of the commission may do or may not do. They are appointed as a non-salaried body for the purpose of doing an important public work. There are two ways of dealing with them. One way is for the House to put them on their honour and not make any legal provision at all; the other way is to make some provision of law which shall act as a deterrent to any person who might be disposed to do that which is contrary to the public interest. It will be for the House to decide which method they desire to follow. I would not say that the public interest is not protected simply because there is nothing in the statute which prevents the members of the commission from making use of their public position for their private ends.

Mr. W. F. MACLEAN. I asked the Minister of Agriculture the other day if he would tell the House under what circumstances and in what way communications could be interchanged with, or advice obtained from, this commission in regard to Bills that came before any committees of this House involving the great natural resources of the country; and the minister thought he would be in a position to do something when this measure came up. For instance, in the Railway Committee on several occasions the waterways question has come up, and we did not know in what way to proceed in order to get the advice of this commission. I think some system ought to be arranged whereby that can be done.

Mr. FISHER. Of course this commission is a new thing, and the scope of its work, while fairly defined in the Bill, is still subject to practical experience. I understand that on one or two occasions during this session committees have asked for information or advice from the commission. I do not suppose that we would want to restrict the committees of the House from doing anything which they thought in the public interest. I can understand that it would be advisable, before the course of action proceeds much further, if it is going to be proceeded with at all, that some general line of action should be laid down. Just what that line of action should be I am not prepared to say. Perhaps it would be well for the committee of the House who strike all the committees, to consult with the executive committee of the commission, or the chairmen of the different committees of the House to consult with the chairman of the commission, and thus gradually to work out a scheme by means of which communications may pass between either House and the committees of the House, and the commission. I can understand that in the working out of a thing of this kind action may be taken by one body a little different from action taken by another body; one committee of the House may proceed in one way and another committee in another way, and this is an additional proof of the necessity of taking steps to see that a general line of procedure is laid down. I think before the next session of parliament something of the kind ought to be done, or at any rate, in the early days of next session, if the consensus of opinion in the House is that the commission should be consulted, that there should be established some means of communication between the House and the commission.

Mr. W. F. MACLEAN. What we want is that committees of the House may have access to the advice of the commission, and to the statistics and information which the commission have collected.

Mr. SPROULE. I think one of the defects of the commission Bill is that they must report to the Governor in Council. It is true that they are appointed under statute, but I never could see the reason why they should not make their report to

parliament instead of to the Governor in Council, and then every member of parliament would have an opportunity of perusing their report. It may be presented to the Governor in Council, and I think there is some provision that it is to be laid before the House, but I am not sure. I think it ought to be presented to parliament, and then the Governor in Council might be the intermediary between committees of the House and this commission. When we were dealing with a Bill last night, I asked the question whether this committee had considered it, and what report they had made on it, and I was told by the Minister of Public Works that they had it under consideration. But I got no information as to how long it had been under consideration, or what their views on it were. That leaves the commission practically worthless to parliament.

Mr. FISHER. Their report has to be laid on the table of parliament immediately it is made.

Mr. SIFTON. The idea of my hon. friend is perfectly correct, that is to say, the idea that the commission is not a portion of the administrative machinery of the government, or a political body, but it is directly, or indirectly responsible to the House as a non-partisan body. There must be some way of getting their report before the House of Commons, and under our system of government there is no other way except for them to present their report to the Governor in Council, and he to transmit it to parliament unless it should be done through Mr. Speaker. My hon. friend will see that the section in the original Bill is that the commission should make its report to the Governor in Council at the end of the fiscal year, and the Governor in Council should lay it before parliament. There is no other way in which it can be got before parliament. The method of sending it to the Governor General in Council, and having it transmitted to parliament, seems the most convenient one.

Mr. SPROULE. Is there not a department which is the intermediary between the House and the commission?

Mr. FISHER. Yes.

Mr. SPROULE. Then could the report not be made to the department and laid before parliament, instead of being made to the Governor in Council? The defect in it, to my mind, is that what might be given to the Governor General in Council might not be available for parliament. Section 13 provides that:

The commission shall make its report to the Governor General in Council at the end of each fiscal year, and such report shall be printed and laid before both Houses of parliament.

But we have current work going on, Bills before the Railway and Private Bills Committees, and there questions relating to the work of the commission, regarding which we desire to get the views of the commission who are clothed with authority to look into these questions at any time, and give the Governor in Council, or parliament the benefit of their knowledge, or inquiry. Between one session and another, all that work may be done, but parliament cannot avail itself of the benefits of that work for the current labours that are going on during the session until the end of the year, or until the beginning of the next session when the information is practically out of date as far as its requirements go, and when it is not likely to turn back and make a beneficial use of it.

Motion agreed to, Bill read the second time, and House went into committe on the Bill.

On section 1, short title,

Mr. ARMSTRONG. Before proceeding with the measure, I would like to know whether it is not possible to have these clauses placed in the Bill. I have gone to a great deal of trouble over this matter; I made a thorough investigation from a lawyer's standpoint. I am satisfied that the clauses are reasonable, and I have no thought of objecting to the position taken by the hon. member for Brandon (Mr. Sifton) in particular any further than that he cannot give us any good reason why they should not be placed in the Bill. The clauses read as follows:

14. No member of the commission or persons appointed as secretary or as officers or clerks under him, or person employed as an assistant for the purpose of any special work or investigation, shall, while a member of the commission or appointed or employed as aforesaid—

(a) Purchase, lease, acquire or obtain, on royalty or otherwise, any Dominion or provincial franchises, fishery rights, water-powers, water privileges, lands, mines, mineral lands or timber limits, or in any way contract therefor or acquire any interest therein, either for himself or as agent for any other person or corporation.

While this might appear to interfere to some extent with the members of the commission, yet I can readily say to the hon. member for Brandon that as far as interfering with the member for West Toronto (Mr. Osler) is concerned, if he will refer to clause 376 of the Railway Act he will find these words:

Every railway director of a railway company who knowingly permits the funds of any such company to be applied either directly or indirectly in the purchase of its own stock, or in the acquisition of any shares, bonds or other securities issued by any other railway company in Canada, or in the purchase or ac-

quisition of any interest in any such stock, shares, bonds or other securities, contrary to the provisions of this Act, shall incur a penalty of one thousand dollars for each such violation.

The penalty in the Bill that I suggested reads as follows:

Every person guilty of any violation of any provision in section 14 of this Act shall forfeit to His Majesty all property or interest so acquired or obtained, and shall also incur a penalty of $1,000 for each such violation.

Largely the same wording as that which appears in clause 376 of the Railway Act, while the first clause I read compares with clause 14 of the Geological Survey Act, which is as follows:

No person employed in or under the department shall—
(a) Purchase any Dominion or provincial lands except under authority of the Governor in Council.
(b) Locate military or bounty land warrants, or land scrip, or act as agent of any other person in such behalf.

If I read that aright, it includes the minister who has charge of the department, and if it includes the minister, why not include the members of the Conservation Commission? It further reads:

(c) Disclose to any person, except his superior officer, any discovery made by him or by any other officer of the department, or any other information in his possession in relation to matters under the control of the department or in relation to Dominion or provincial lands, until such discovery or information has been reported to the minister, and his permission for such disclosure has been obtained.
(d) Make investigations or reports relating to the value of the property of individuals, or hold any pecuniary interest, direct or indirect, in any mine, mineral lands, mining works or timber limits in Canada.

The hon. member for Brandon said that these are largely officials in the Geological Survey of Canada, but the hon. member for Brandon, as chairman of the commission, will employ a large number of officials, and as this Act only permits them to be employed for a short space of time, they are more likely to dispose of the information that they obtain for an amount of money than are the members of the Geological Survey, who are in the employ of the government. I am satisfied that if the Minister of Agriculture will take this into consideration he will readily see that there should be some clause which will at least control the men who are employed by this commission. At the present time members of the commission can have any amount of money expended in investigating water-powers, mineral lands, or woodlands, and they can make these properties their own after having taken the people's money to thoroughly investigate them. Officers employed by this commission can do likewise. They can make discoveries and dispose of these discoveries, and there is no law to prevent them from acting in that way. A member of this commission has a great advantage over the ordinary citizen. I am not reflecting on any member of this commission; far from it, because a great many members of the commission are personal friends of my own, but I do think that they would be only too glad to have some such clause as the one that I have referred to in the Act, so that there would be a guarantee that as far as the members of the commission and those employed by the commission were concerned, such proceedings as those which I have referred to would be impossible. I, therefore, trust that the minister will see his way to embody in the Bill the clauses which I have brought to his attention.

Mr. SIFTON. The most important clause in my hon. friend's amendment is subsection (a), the effect of which is to prohibit any member of the commission, or any person appointed by the commission, from engaging in the:

(a) Purchase, lease, acquire or obtain, on royalty or otherwise, any Dominion or provincial franchises, fishery rights, water-powers, water privileges, lands, mines, mineral lands or timber limits, or in any way contract therefor or acquire any interest therein, either for himself or as agent for any other person or corporation.

I think that it is very possible, looking at it from a legal point of view, if that were passed that as a member of that commission I would not be safe in buying a share of Canadian Pacific railway stock. The Canadian Pacific railway traffics in public franchises dealing with a number of these things, and my own judgment is that by buying that stock I would be acquiring an interest in it. Another member of the commission is a director of the Canadian Pacific railway and a very large shareholder, and possibly deals in the stock of the company, and he would be debarred. Senator Edwards is a large lumber man and he buys timber limits, and he would be shut out from the commission. If the hon. gentleman is desirous to put the law in such a way that men of affairs who are doing business extensively cannot be members of the commission, it is for parliament to say whether that shall be so or not. For myself, as chairman of the commission, I do not think this is a matter I should be called upon to discuss, and I do not intend to discuss it in the sense of expressing my opinion as to what parliament ought to do. I simply point out to my hon. friend the effect his legislation would have upon the commission at the present time. If parliament thinks that they cannot trust the commission as it

stands, upon its honour, or that the law should be such as would prevent men of the standing to whom I have referred, continuing membership on the commission, it is for parliament to say. It is not for us as members of the commission in this House to discuss what should be done. When you decide what you will do, then it will be for us to decide what we will do.

Mr. SPROULE. This commission must necessarily employ a number of officials who will visit remote localities and gather data regarding timber limits, water-powers, mines and other resources. These employees seem to be under no restraint so far as the law is concerned, and they may at any time sell in advance the information they acquire without fear of punishment, unless there be something in the Civil Service Act which would provide for that. The employees of this branch of the service seem to be exempt from the penalties for wrong-doing which other civil servants are subject to. I can quite understand the embarrassment there would be in dealing with the commissioners, and that it is possible they would have to be left entirely to their own honour, but I do not think the same should apply to the employees of the commission. We have heard over and over again that subordinates have given out information which has been taken advantage of by their friends and themselves to make a great deal of money. In the case, however, of employees of this commission there is no provision to punish any one who may give out information when he should not do so.

Mr. FISHER. The contention of my hon. friend (Mr. Sproule) seems reasonable, and I think, perhaps, that the employees of this commission should be restricted in the same way as the employees of the geological survey. I will consult with the member for Brandon (Mr. Sifton) to see if we cannot draw up an amendment which would embody the idea of the hon. gentleman with regard to the salaried officers of the commission.

At six o'clock, House took recess.

After Recess.

House resumed at Eight o'clock

PRIVATE BILLS.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

House again in committee on Bill (No. 115) an Act to incorporate the St. Lawrence Power Transmission Company, Limited.—Mr. Pardee.

On section 1, incorporation.

Mr. BLAIN. I would like to ask the Minister of Public Works if the government have any correspondence from the Hydro-Electric Commission of the province of Ontario in respect to this Bill?

Mr. PUGSLEY. There has certainly been none with me, and I am not aware of there being any correspondence with any other member of the government, although it is possible that there may have been.

Mr. BLAIN. Is it not rather important that the minister having charge of this Bill should place before the committee any such correspondence that may have taken place? As my hon. friend is aware, the government of Ontario are protecting the rivers and streams in every part of the province for the people, and we accept with pleasure what the government stated last night by the Prime Minister, that the opposition were opposing this Bill because we were trying to impress upon this House and the country that we were in favour of a monopoly, I presume by the Hydro-Electric Commission of the province of Ontario. For myself I am in favour of that kind of a monopoly. It differs entirely from the monopolies which hon. gentlemen opposite sometimes deal with in this House. The monopoly of the Hydro-Electric Commission of Ontario is the people of Ontario protecting their own rights against all who would interfere with those rights, in taking possession of any waterway and manipulating it for private advantage. The government of Ontario are protecting all these streams, keeping in view the future development of electricity and the importance of cheap power for manufacturing; and, therefore, I think it is not unfair that this committee should be put in possession of whatever correspondence there may have been between the Ontario government and this government, or between the Hydro-Electric Commission and this government on this subject. I would have thought that the hon. Minister of Public Works would have been sufficiently interested in this matter to have inquired of the government if there was any such correspondence. I would have thought that my hon. friend would have been very anxious to communicate to this committee all correspondence that has come to the government or to any department of the government relative to this Bill, which has received so much attention in this House, and a greater amount of attention in the country, from the people of Ontario in particular. For myself, I want to go on record as being in opposition to any monopoly in this country.

Mr. PUGSLEY. Except that of the Hydro-Electric Commission.

Mr. BLAIN. Yes, I am fully in accord with that kind of a monopoly. It may be a kind of monopoly which my hon. friend knows nothing about.

Mr. PUGSLEY. I am opposed to any monopoly.

Mr. BLAIN. Then there is a great opportunity for my hon. friend now, while this Bill is under discussion, to stand up and say that he is opposed to this monopoly.

Mr. PUGSLEY. I do not see that there is any monopoly in this.

Mr. BLAIN. My hon. friend is very quick to recognize what he calls a monopoly in the province of Ontario, which is a monopoly of the people for themselves. I think this government should be the first to commend the government of Ontario for rising in their might and saying to any class of people, whether they belong to the province of Ontario or to any other province, or whether they come from the United States or any other country, whether they be Liberal or Conservative, that their policy is a clearly-defined policy, that every water-power and every other public utility shall be protected for all the people of the province. If the Minister of Public Works thinks that I am a monopolist of that kind, I am willing to accept that, and would only hope that I might be able to convert my hon. friend to that view. I would rather believe in the man who would correct his own government, his own department and his own policy, than cast reflections on the policy of the Ontario government with respect to the Hydro-Electric Commission. I shall await now for my hon. friend to place before this committee to-night whatever correspondence the government or any department thereof has had either from the Ontario government of the Hydro-Electric Commission with respect to this Bill.

Mr. HUGHES. Before the Minister of Public Works makes his deliverance in answer to the hon. member for Peel, may I ask him if he has ever considered the advisability of establishing a Hydro-Electric Commission under the auspices of the Public Works Department of the Dominion government, seeing that he is so much opposed to the one in the province of Ontario?

Mr. PUGSLEY. I am rather surprised at my hon. friend from Peel being so unreasonable as he is. He seems to take for granted that late on in the evening, after business hours, after the public offices are all closed, that is the appropriate time at which to ask for papers, and he wants them delivered not to-morrow, not next Friday evening, but to-night.

Mr. LENNOX. We will wait until Friday.

Mr. PUGSLEY. I may say to my hon. friend that it is not at all convenient for me to send around to the offices to-night, after they are closed, to find out whether or not there is certain correspondence on file. But I may say to my hon. friend that I have not heard of either the Hydro-Electric Commission or the government of Ontario sending any communication to this government with reference to the Bill that is now before this committee.

Mr. BLAIN. It sent a representative before the committee.

Mr. PUGSLEY. That representative has been heard. Does my hon. friend say that he is on file and that I should get him and produce him to-night? I cannot do that.

Mr. BLAIN. May I be permitted to say that such a statement would be a very good argument if my hon. friend were introducing this Bill for the first time; but when my hon. friend remembers that this Bill has been before the House and the country for many weeks, and that he took part in an all-night discussion upon it, it might occur to him that it would be his duty to see that whatever information was in his department or in the possession of the government of which he is a prominent member should be laid before this committee for use in the discussion of this Bill.

Mr. PUGSLEY. I would rather assume that since the Bill has been so long before the House there is no correspondence or I would have heard of it. And I would assume that my hon. friend, who poses here as the champion of the Hydro-Electric Commission of Ontario, and who has the courage to declare himself absolutely in favour of a monopoly so far as the transmission of electrical energy throughout the province of Ontario is concerned, who is strenuously opposed to the people being permitted to purchase electrical energy from any other person or body than the Hydro-Electric Commission, would have been the very first to be made acquainted of any correspondence by his friends of the commission, and the fact of his not being aware of any correspondence and of no correspondence coming to my notice, may, I think, be taken as very good evidence that there has been no correspondence. I take it for granted that the Hydro-Electric Commission, for reasons of its own, preferred to send counsel to appear before the Private Bills Committee to present their views. The hon. gentleman has also unwittingly fallen into an error of another description. He has stated that the Minister of Public Works is in charge of this Bill. My hon. friend surely cannot have forgotten that it has been stated over and over again that this is not a government measure, that

neither I nor any other member of the government is in charge of this Bill.

Mr. BLAIN. Does my hon. friend disown it?

Mr. PUGSLEY. It is impossible to disown what one never possessed. I have a duty to discharge just as my hon. friends have, and, when the Bill introduced as it was by a private member, came before the committee for consideration, it was my duty to take the view of the matter which seemed to me to be the proper view to take.

Mr. BLAIN. Does my hon. friend wish to draw a distinction between the gentleman having charge of this Bill and the government, the cabinet? If my hon. friend does, the committee would be very glad to hear him state whether he himself and his government are in favour of or opposed to this Bill.

Mr. PUGSLEY. I can only speak for myself. I have not the slightest idea as to the views of the members of the government, except as they have been expressed on the floor of the House while in committee. Some members of the government have expressed their views as individual members of the House. The government as a whole has not expressed any opinion, and as far as I am aware the government as a whole or as a government has no views on the Bill and has not taken any attitude on it one way or the other. Every member of the government is free to vote as he pleases and, unlike the gentlemen on the other side of the House under the admirable leadersip which seems to be now prevailing and which excites the wonder and the astonishment of this country, every member on this side of the House is just as free to vote for or against the Bill as every member of the government is.

Mr. MEIGHEN. How will they vote?

Mr. PUGSLEY. I am not able to say, but I will tell you how I propose to vote. I propose voting for the Bill. While the Bill has been under discussion, I have been lost in amazement at the wonderful ingenuity of hon. gentlemen opposite in persuading themselves that there is something wrong or suspicious about this Bill, and that in some way it is connected with a Bill for the development of power on the St. Lawrence.

Mr. ARMSTRONG. Then why did you amend it?

Mr. PUGSLEY. We proposed to amend it for the very reason which the leader of the opposition (Mr. R. L. Borden) proposed an amendment which I have no doubt he had reason to believe would be unanimously accepted by his supporters; we amended it in order to make assurance doubly sure, in order to make it impossible for any member of this House, or any person outside of this House to argue that the Bill was in any way connected with the damming of the St. Lawrence river. We wanted to make assurance doubly sure that no one would ever dream for a moment of arguing that the passing of this Bill was in any way committing this parliament to the approval of any scheme for the damming of the St. Lawrence. Speaking for myself I believe this Bill, amended as it is, with all possible sting taken out as the hon. member for Westmorland (Mr. Emmerson) so graphically stated, was never any more connected with the St. Lawrence Power Company Bill, or any measure for the damming of the St. Lawrence than it is at the present moment.

Mr. BLAIN. My hon. friend was just as willing to support it in its original form as he is now to support it in its amended form.

Mr. PUGSLEY. And for the reason that I stated that if we passed the Bill in its original form it would in no way be committing the House to the damming of the St. Lawrence, that this Bill was simply a power transmission Bill and nothing more. It has been amended so as to make that so clear and plain that not only the intelligent members of this House may understand it, but that every man who runs may read and thoroughly understand it. I would like to know whether hon. gentlemen who are opposing this Bill are prepared to lay it down as a principle which they are prepared to support that whenever in any province in Canada, or in any port of the Dominion either a provincial legislature, or the Dominion parliament creates a public utility then no man and no company shall be permitted to compete against the government of that province, or this Dominion.

Mr. HUGHES. That is not the question.

Mr. PUGSLEY. That is the question.

Mr. HUGHES. The question is damming the St. Lawrence.

Mr. PUGSLEY. Not at all. I thought my hon. friend had got away from that delusion. Do I understand that he is still under the delusion that this Bill has something to do with damming the St. Lawrence?

Mr. HUGHES. I am absolutely certain of it.

Mr. PUGSLEY. I can only express my profound astonishment.

Mr. ARMSTRONG. Some weeks ago the minister told us that the members of the

St. Lawrence Power Company waited on him in reference to the maps, &c. Would the minister be good enough to give the names of the men who waited on him?

Mr. PUGSLEY. Would that be of interest so far as this Bill is concerned? My hon. friend is seeking to in some way erroneously convey the impression that these two Bills are connected together, in other words that the Bill now before the House is in some way connected with the Act passed some nine years ago. My hon. friend knows better than that.

Mr. LENNOX. The amendment shows they are.

Mr. PUGSLEY. The amendment does not. Some hon. gentlemen for whom the promoters of this Bill are bound to have respect, and who, although they may be misguided and entirely in error, although their views are without foundation, have expressed the fear that if this Bill had been passed in its original form it would in some way be recognized by the public as being an approval of a project for damming the St. Lawrence. And out of deference——

Mr. SPROULE. May I ask a question?

Mr. PUGSLEY. Wait till I get through this sentence. Out of deference to the views of these hon. gentlemen, the promoter of the Bill has moved an amendment which would make it impossible for any one to suppose that by voting for this measure he was in any way committed to the approval by parliament of damming the St. Lawrence either under the Act of 1901 or otherwise.

Mr. SPROULE. The hon. minister having finished his sentence, let me ask him this: Does he mean to tell this House that the St. Lawrence Power Company, and the St. Lawrence Power Transmission Company are not practically the same company, one to develop power, and the other to transmit it? Does this company refer to any other company that are going to develop power? Is not this in effect, extending the right of the St. Lawrence Power Company to the transmission of power while the original Bill provides the right to develop power? The same names appear in both companies. And yet the hon. minister says there is no connection.

Mr. PUGSLEY. These companies are incorporated, having distinct and separate entities. I do not know who are interested in these respective companies. The transmission company may be an entirely different entity from the power development company.

Mr. SPROULE. This is 'The St. Lawrence Power Transmission Company.'

Mr. ARMSTRONG.

Mr. PUGSLEY. Well, suppose it had been the Jerusalem Power Transmission Company, what difference does it make? Does my hon. friend seriously argue that the fact that the name of a great river with which the whole country is identified is used in these two companies, makes those two identical?

Mr. GOODEVE. I would call the attention of the hon. minister to the fact that he himself has stated that these Bills were connected. I would also quote what the chairman of the Conservation Commission, to which this Bill was referred by the Private Bills Committee stated. Here are his words:

> An examination of Bill (No. 115) indicates clearly that the introduction of this Bill is a portion of the St. Lawrence Power Company's plans. It is to be noted that the president of the power company and one of its engineers are the first named among the proposed incorporators, and the powers asked for are of an unusual and very sweeping character.

And, as I have said, the Minister of Public Works points out that these companies are undoubtedly one, and the same. In answer to the leader of the opposition, as reported at page 5510 of 'Hansard,' he said:

> If the hon. member will pardon me: I saw it stated somewhere, that the chairman of the Conservation Commission had written a letter to the committee in which he pointed out this very fact, that they were undoubtedly connected together, referring to the fact of the incorporators being the same.

I think I can point to several other quotations here from the Conservation Commission's report. So, I think we can agree that these companies are undoubtedly connected.

Mr. PUGSLEY. My hon. friend (Mr. Goodeve) forgets that I was replying to a statement which some hon. members made that they had been taken utterly by surprise to learn that a company had been incorporated in 1901. The hon. gentlemen were stating—shall I say they were pretending—perhaps I ought not to say that, for it might be unparliamentary—that the first knowledge they had of it was when my hon. friend from Westmorland (Mr. Emmerson) informed the committee that an Act had been passed in 1901. It was in reply to that observation that I made the statement that that could not be so, because the chairman of the Conservation Commission had stated that fact or alleged fact to the committee. But if the hon. gentleman will do me the honour to read my speech from beginning to end, and, perhaps, if he does, it may induce him to take a different view from what he has taken tonight—he will see that I stated distinctly that I had no knowledge whatever of the

personnel of these companies. What I was asked was if I thought that if the St. Lawrence Power Company should develop power this company would take its electrical energy for transmission, I said I did not know, but that I suspected they would. The Minister of Railways (Mr. Graham) has stated to the House very frankly that the object of this transmission company is to obtain electrical energy wherever it can. He has stated that there are a few thousand horse-power which might be obtained from the complete development of the works which the St. Lawrence Power Company already have constructed between Sheek island, and the mainland near Cornwall. He has also referred to the fact of the development by Mr. Beach, and has stated that at Waddington, there is a power which could be developed without interfering with the St. Lawrence river, and capable of yielding, if I remember rightly, 25,000 or 30,000 horse-power. He has stated also that it would be of enormous advantage to the people of eastern Ontario, who are desirous of establishing industries which can be established only by getting cheap electrical energy, and that these people are anxious to get this power from whatever source may be available. I repeat what I said when the Bill was before the committee yesterday, that it is only right and fair to the people of that section, who are clamouring for cheap power, that the Bill should be fairly considered. And I say—and I think I can speak with the authority of the promoter of the Bill—that if any hon. member opposite, or any hon. member on this side, can suggest, as the Bill is passing through the committee, any amendment which will make it more clear than it is now that it is a power transmission company, and that alone, that it shall have no power to develop electricity, but simply to transmit it, and can only transmit power which is lawfully developed by some other company, I believe my hon. friend (Mr. Pardee) will gladly accept that amendment. The leader of the opposition (Mr. R. L. Borden) in order, I believe, to make the case so clear that, as he supposed, no one of his followers would venture to further oppose the Bill——

Some hon. MEMBERS. Oh, oh.

Mr. PUGSLEY—proposed an amendment——

Mr. HUGHES. One amendment.

Mr. PUGSLEY. It is an amendment which is most important if hon. members have the suspicion which they profess to have in regard to this Bill, and it provided that the St. Lawrence Power Company should have no authority to enlarge or increase any of its dams, wing dams, sluices or other works upon the St. Lawrence without their plans first having been submitted to parliament, and the approval of parliament obtained. Now, I do think that the amendment which the leader of the opposition proposed ought to have been sufficient to satisfy every member on the other side.

Mr. HUGHES. In that regard, yes. But there are other points.

Mr. PUGSLEY. Unless hon. gentlemen opposite are so bound up in the creation, and maintenance of an absolute monopoly in the Hydro-Electric Commission against the people of Ontario, preventing them from being able to obtain power from any other source—unless they are bound hand and foot to the Hydro-Electric Commission, and determined to maintain its monopoly —they ought, in all fairness, to consider this Bill on its merits, and, as it goes through committee, suggest any amendments they may think necessary in order to make it clearer that it is to be a power transmission Bill only. And it does seem to me that in that way, and that way only, will they be performing a real service to the country, especially to the people of eastern Ontario, who are so desirous of obtaining electrical energy.

Mr. ARMSTRONG. I asked the Minister of Public Works a question a little while ago. If he does not care to answer it, perhaps the hon. member for Brandon would be good enough to give his views on the subject.

Mr. GOODEVE. In reply to the minister, who asked me to read his own speech in connection with this matter, I have great pleasure in reading a paragraph which makes it still more clear that he himself considers these two Bills together:

> I will answer as best I can. I do not know what is in the minds of the promoters of the Bill, but it does not occur to me that the Bill provides for great haste, because it is only to come into force on a day to be fixed by proclamation of the Governor in Council, and the Governor in Council will not issue that proclamation until the agreements are entered into, plans are fully considered, and it is understood that the works can be constructed in the public interest and without injury to navigation—and, I would assume—they would not issue the proclamation until these agreements were submitted and ratified by parliament.

That is a direct answer, a statement dealing with the Bill before us and referring back to the Bill passed in 1901.

Mr. PUGSLEY. If my hon. friend will turn to page 5504 he will find that I stated distinctly that I had no knowledge on the subject, one way or the other. This is what I said in answer to the hon. member for Peel:

Mr. BLAIN. Where does the minister think they will get their power?

Mr. PUGSLEY. My own idea is that they will get their power from a company which may develop it along the St. Lawrence.

Now there is a company that develops power along the St. Lawrence.

I do not know that to be the case, but I suspect it. This Bill simply incorporates a transmission company which would have to make an arrangement with another company for its power. The development of power upon the St. Lawrence must be provided for by another statute, but this Bill does not give the slightest authority to dam the St. Lawrence or construct any works in the St. Lawrence or anywhere else except such works as are essential for a transmission line.

That is the view which I took. I had no knowledge then on the subject, and I contended then, as I contend now, that by voting for this Bill, which is simply a power transmission Bill, no member of this House would be committed to a project for damming the St. Lawrence.

Mr. HUGHES. The Minister of Public Works was wise in stopping where he did when he read from his remarks. Let him read right on to the end, and he will find a question by the leader of the opposition:

Mr. R. L. BORDEN. Under what statute did the company profess to be acting when it submitted these plans?

Mr. PUGSLEY. That is not this company.

Mr. HUGHES. It is this company, and he knows it quite well. In answer to the leader of the opposition the Minister of Public Works says:

They did not state, but I understood it to be under the St. Lawrence Power Company charter granted by this parliament some years ago. I also understood from them that they expected to have to come back to parliament to get authority to dam the St. Lawrence.

And yet he knew last year, and the First Minister last night admitted that they did have the authority to dam the St. Lawrence, and the Minister of Public Works must have known it; else why did he dare to receive a deputation talking of damming the St. Lawrence, without the authority of a statute of this parliament to allow them to approach him in that regard?

Mr. MIDDLEBRO. It seems to me these are some of the things which make us on this side of the House suspicious. This Bill says that 'this Act shall not come into force until a day to be named by the Governor in Council.' Now, the Minister of Public Works stated on the floor of this House that this Act would not come into force until after the plans and specifications in connection with the St. Lawrence Power Company had been approved by this government. If he says that electricity may be transmitted, or is likely to be transmitted, over this line from any other company than the St. Lawrence Power Development Company, than he is then unnecessarily hanging up by this Bill. Here is what the minister says, page 5510:

The Governor in Council will not issue that proclamation until the agreements are entered into, plans are fully considered, and it is understood that the works can be constructed in the public interest and without injury to navigation—and, I would assume—they would not issue the proclamation until these agreements were submitted and ratified by parliament.

Mr. PUGSLEY. My hon. friend did not read the whole of it. Let him begin at the commencement and read the whole of it.

Mr. MIDDLEBRO. If the hon. gentleman will allow me to make my explanation.

Mr. PUGSLEY. I rise to a point of order. What I respectfully submit to you, Sir, is that when an hon. gentleman proposes to read some remarks made by another member of this House, it is his duty to read all the remarks which bear upon the particular subject, he must read the qualifying remarks as well.

Mr. DEPUTY SPEAKER. The minister has a right to rise to a point of order, but I do not think the point he raises is a point of order.

Mr. MIDDLEBRO. What the minister did say in effect was this: that he would not recommend to the Governor in Council that this Bill should go into effect until the plans and specifications had been approved. I have read the petition, the petition is from the Long Sault Development Company from the St. Lawrence Power Company and the Minister has said that this Bill shall not become operative until the plans of these two companies —and they both signed the petition, they are the same company—the minister says this Bill shall not come into force until these plans have been prepared and approved, and at the same time he says this company may get electricity transmitted over its lines from some other source, when the Bill itself would not come into force until he approves the plans of the other two companies. In the face of that, the minister says that he has a suspicion that the electricity which is going to pass over the transmission lines will come from the St. Lawrence Power Company, although that company does not come into operation until the plans are approved by himself.

Mr. PUGSLEY. I stated to the committee that I had not any knowledge whatever of what was in the mind of the promoters of this Bill we were all discussing. Its

terms were quite as new to me as they were to many other hon. members of this House. It stops there, and my hon. friend did not read that which, I say, qualifies entirely the remarks which I made. I said that I would answer some question which was put to me by my hon. friend from Westmorland.

I will answer as best I can. I do not know what is in the minds of the promoters of the Bill.

That is what I stated distinctly, and I did not know.

Mr. MIDDLEBRO. May I ask the Minister of Public Works now if that information which he gave was incorrect, namely, that the Bill will not go into force until the plans and specifications of the St. Lawrence Power Development Company and the Long Sault Development Company, now before the House, have been approved by the Governor General in Council?

Mr. PUGSLEY. I will say to my hon. friend that my own view is that if this Bill passes the Governor in Council would properly bring it into force entirely irrespective of any other company, or any other power development.

Mr. SPROULE. Then you must have given incorrect information before.

Mr. PUGSLEY. When I made the remarks which I did make in the House, the matter had not come before the council, and I could not speak for council, or profess to speak for council. I was entirely in the dark as to what the views of the promoters were, but I cannot see the slightest reason why this Bill should not be brought into force entirely irrespective of any other Bill. It has nothing to do with any other measure, and it would be brought into force on its own merits and with the view of transmitting power from any source from which the company might be able to obtain it.

Mr. BLAIN. Were not the promoters before my hon. friends' department?

Mr. PUGSLEY. Of this Bill?

Mr. BLAIN. Of the St. Lawrence Power Bill?

Mr. PUGSLEY. Yes, several persons on behalf of the company appeared before a sub-committee of council and asked for the approval of their plans. It was these plans which were submitted to the International Waterways Commission.

Mr. BLAIN. Who were these gentlemen?

Mr. PUGSLEY. That Bill has nothing to do with this Bill.

Mr. BLAIN. Mr. Chairman, I ask your ruling. The minister has stated that certain gentlemen representing a company appeared before council, and I ask the minister to submit the names to the committee as he has made reference to them. It would seem to me that it would be the proper thing to do.

Mr. PUGSLEY. I have no objection to submitting such names as I can remember. I remember Mr. Leighton McCarthy, of Toronto, and a very eminent engineer—I forget his name.

Mr. J. D. REID. Mr. Breakey?

Mr. PUGSLEY. I do not remember the name. Mr. Holgate, of Montreal, was before the committee of council, I think Mr. McGuigan, was there also, and some other gentlemen, but I do not remember their names.

Mr. BLAIN. Were they members of the company?

Mr. PUGSLEY. I do not know.

Mr. MIDDLEBRO. Can the minister inform us whether or not the power which is now being developed by the St. Lawrence Power Company is being transmitted anywhere?

Mr. PUGSLEY. I am not aware as to that. I am not familiar with local conditions.

Mr. GRAHAM. The power is used largely in the town of Cornwall, and to light the canal.

Mr. J. D. REID. There is only 35 or 40 horse-power used for the canal.

Mr. GRAHAM. My hon. friend is away wrong in his figures, but it is not unusual for him to be a little wrong in his calculations.

Mr. HUGHES. He is not saying what is paid for it; he is only saying what is used.

Mr. GRAHAM. As far as I know the power transmitted is for the use of the town of Cornwall, and for the canal under a contract made with the government some years ago. While I am on my feet I would like to put the situation very plainly before the House and the country. I do not believe there is an hon. gentleman in front of me but understands it thoroughly.

Mr. HUGHES. I think we do, and if we do it is bad for you.

Mr. GRAHAM. I think the hon. member for Victoria and Haliburton (Mr. Hughes) might be excused for not knowing anything about it.

Mr. HUGHES. If we do understand it it speaks very badly for the Minister and his party.

Mr. GRAHAM. The minister and his party will always come out fairly well, if it be put on that basis, because my hon. friend is not quick at understanding things when he does not want to understand them. Those of our friends to the left, who have spoken, have opposed this Bill, because they do not want any interference with the Hydro-Electric Commission.

Mr. HUGHES. No.

Mr. GRAHAM. I am talking about those over here.

Mr. HUGHES Over where?

Mr. GRAHAM. The hon. member for Lambton (Mr. Armstrong), and the hon. member for Peel (Mr. Blain), have made their objection very plain.

Mr. BLAIN. Might I be permitted to say——

Some hon. MEMBERS. Order.

Mr. BLAIN. With the permission of the hon. gentleman.

Mr. GRAHAM. It is pretty near nine o'clock, and I want to say what I have to say before Mr. Chairman calls nine o'clock. The hon. members for Peel and North Ontario (Mr. Sharpe) made it very plain that they were arguing largely because this was an interference with the hydro-electric plan. The hon. member for Peel devoted his remarks to that one point. On the other hand, the hon. member for Victoria and Haliburton (Mr. Hughes) says that he objects to it because they are going to dam the St. Lawrence. I want the country to thoroughly understand my position. What I ask for, as representing the constituency of Brockville, is that we should be given the right to get cheap power if we can get it, no matter from what source. The people want—I care not what my hon. friends say—the cheapest power that they can get. It does not make any difference whether it comes from one company or another, or from the Hydro-Electric Commission, and the man who says that it must come from only one source is not a friend of the people.

Mr. LANCASTER. Does it make any difference whether it interreres with the navigation of the St. Lawrence?

Mr. GRAHAM. It is all very well for hon. gentlemen who are within a stone's throw of Niagara power and who are not in the position of having to seek for cheap power although when it does not come with that rapidity that was expected. They speak strongly in favour of the Hydro-Electric Commission only. The Hydro-Electric Commission has not yet come into that part of Ontario, no matter what is said to the contrary, and it has made no serious attempt to come. No provision has been made in the estimates of the Ontario legislature for their coming. It is a delusion and a snare as far as the people of that part of the country are concerned. I have had some experience of this matter, and I know of what I speak. If the Dominion has a power to lease to anybody, if it has a power to develop, these hon. gentlemen propose to take the ground that we must not give any person any right to transmit that power without going to the Ontario government and asking permission.

Mr. HUGHES. Why not run your own hydro-electric?

Mr. GRAHAM. For my part, I believe that the policy adopted by this House unanimously in appointing a board of railway commissioners to control the rates on railways has been a success. I believe that that board can control the rates for power developed in the Dominion just as well as they can control railway rates, and with just as good results. If they give us as good results with respect to electrical power as they have with respect to the railways, the people of Canada will be the gainers. All we ask is that the right be given to a company to transmit power, get it where they may. There is nothing in this Bill, and hon. gentlemen know it perfectly well, to enable any person to dam the St. Lawrence. That is a big question that would have to be discussed in another spirit altogether. It is not contained in this Bill. If it were, I would not now ask this House to pass it.

Mr. HUGHES. Is there anything in this Bill that will strengthen the hands of the St. Lawrence Power Company and allow them to transmit electricity?

Mr. GRAHAM. There is nothing in the Bill that will enable any company to dam the St. Lawrence, and the Bill further states in the amendment that they cannot add to the works heretofore constructed. They are confined absolutely to the works under construction. My hon. friend is trying to prevent me from saying what I wish to say before nine o'clock. I want to put the case plainly, because I want the country to understand it, and I want my constituents to understand it, and I say that every member of this House does understand it. We ask for a transmission line, and whether or not they ever get power to dam the river St. Lawrence has nothing whatever to do with it. I have taken great pains to tell the promoters that I would not, in this Bill at least, have anything to do with a scheme which would enable them to get any more power than they had already on the St. Lawrence river.

Mr. HUGHES. Did they propose it?

Mr. GRAHAM. My hon. friend (Mr. Hughes) has many a time proposed things that he did not get, and it is a good thing for himself that he did not get them.

Mr. HUGHES. The point I make is this—

Some hon. MEMBERS. Order.

Mr. HUGHES. Would the minister permit me to ask him a question?

Mr. DEPUTY SPEAKER. A question can only be asked with the permission of the member who has the floor.

Mr. HUGHES. Well, I am asking him.

Mr. GRAHAM. It is three or four minutes to nine o'clock, and I want to make my statement, and my hon. friend (Mr. Hughes) is doing all he can to prevent me, but he can't. The House understands it, but I want to make it clear to the country and to my constituents who may not understand it. What we ask is that this company be given power to transmit power if there be any surplus now at Cornwall. I may be wrong, but I believe there is. There is a power at Iroquois owned by Mr. Beach not leased by the Ontario government, but leased to him by this government; there is a power at Waddington, opposite Morrisburg, that is to be developed, or that can be developed, and from which I am told we can get power to the town of Brockville; then there is another power at Messena, owned by this company or some of the same gentlemen who are in this company. We believe there is a surplus of power now, and if we cannot get any power from any of these works I mentioned, then no harm is done. But I say it is not fair; it is particularly not fair for the men from western Canada who have cheap power at their door to prevent us in the east getting the power which is running to waste and which I believe we can get if this company gets its charter.

An hon. MEMBER. It does.

Mr. GRAHAM. All that is asked for by this Bill is that we be allowed in my constituency and elsewhere to utilize, through the means of this company being allowed to transmit it, the power that is going to waste. It makes no difference who is in the company; their powers are curtailed absolutely in this Bill, and though these men may be in the company to-day, if they do not see fit to go on with the work, the charter is in existence and I believe we can get men of capital to take that charter and give us a transmission line and give us the power we can obtain from these other points. I again appeal to the House. We want power in the vicinity from which I come. I believe it would be absolutely unfair if this House should prevent us from getting the means of having that power brought to our doors. I say again that it is particularly unfair for those members who come from a section of this province where the whole province is assessed them cheap power, that they should prevent us in the east from getting power when we are not asking the province to guarantee a single dollar to pay for it.

Mr. GOODEVE. I call attention to the fact that in the papers brought down by the Minister of Public Works, we have the statement made in the petition which appears amongst these papers, that the St. Lawrence Power Company has 3,000 developed horse-power and 2,500 intermittent horse-power, which means that at certain seasons of the year they can develop 5,500 horse-power, and they have a capacity for developing 6,000 regular horse-power. Now, out of this quantity they state that there is only 1,000 or 1,500 horse-power used out of the 6,000 horse-power capable of development. In that same Bill this same company is given the right to sell and transmit that power, so that if the only question raised here is the getting of competitive power against the Hydro-Electric Commission, as stated by the Minister of Railways, they already have that power developed, they have the right to transmit it, they have the right to sell it, they have the right to supply it in competition with any other company at this very moment. That being the statement in the papers brought down by the Minister of Public Works, I cannot see why, under the circumstances, we could not take time to see the exact standing of this company without doing any injury either to the constituents of the Minister of Railways or to his portion of eastern Ontario of which he has spoken. I admire the position he took in fighting on behalf of the people of eastern Ontario, and I believe that if we can reduce the price of power by bringing in competition we should do so.

Mr. GRAHAM. Hear, hear.

Mr. GOODEVE. But I say his case is not sound because of the fact that he himself has already stated that that company has certain horse-power developed, and that all they require is that they may be able to transmit it to the localities that require it. As has been shown, under the section 8 of the Act of 1901, they have full power to do that, and that being the only reason advanced by the Minister of Railways why he is in favour of this Bill his contention falls to the ground. When

we take into consideration that the chairman of the Conservation Commission has reported absolutely against the Bill, and in view of all that has been said here, I venture to say that the Minister of Public Works is the only man in this House who has not yet become acquainted with the fact that the very same men who have asked for this Bill are the men who have control of the St. Lawrence Power Bill of 1901.

CONSERVATION OF NATURAL RESOURCES.

The hour for private Bills having expired the House resumed in committee on Bill (No. 185) respecting the Commission for the Conservation of Natural Resources.

Mr. J. D. REID. With the consent of the House I would ask the Minister of Railways if he would get a statement of the quantity of power used on the Cornwall canal by the department.

Some hon. MEMBERS. Order.

Mr. GRAHAM. In lighting?

Mr. J. D. REID. For lighting and for use at the locks. I understand there is only between thirty-five and sixty-five horse-power used on the canal, and I would like to have a statement from the officials as to the exact quantity used.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. I did not wish to interfere as I thought the hon. member was simply asking a question, but he appears to be proceeding to make a statement of some length. We are on Bill (No. 185).

On section 1,

Mr. FISHER. Since six o'clock my hon. friend from Brandon has made some slight changes in the amendment proposed by the hon. member (Mr. Armstrong) and with these changes I think we can add it to the end of the Bill.

Mr. ARMSTRONG. What is the change?

Mr. FISHER. The only change is that it leaves out the reference to members of the commission. It applies the clauses of the hon. gentleman's amendment to the officials of the commission, but makes no reference to the members.

Mr. R. L. BORDEN. I think there is a good deal of force in the observations of the hon. member for Brandon (Mr. Sifton) because it is apparent that no member of the commission could transact business connected with the affairs of the country generally, to any extent, if the amendment passed as proposed. What has been suggested by the Minister of Agriculture is no doubt eminently proper, but it did occur to me that the provisions of subsection (c) of the proposed amendment might with perfect propriety be made applicable to members of the commission.

Mr. FISHER. There is no objection to that. It might be held that we were casting a little suspicion on the members of the commission, but they would probably not feel it in that way.

Mr. CAMPBELL. On whom does the Minister of Agriculture mean that the suspicion would be cast?

Mr. FISHER. I cannot understand the hon. gentleman.

Mr. ARMSTRONG. Then I understand that the minister wishes to add to the Bill the clauses of my Bill entirely, merely referring them to the employees of the commission and not to the members of the commission?

Mr. FISHER. Yes, that is what I suggested.

Mr. ARMSTRONG. Then I also understand, as the chairman of the commission suggested previous to six o'clock, that he and some other members of the commission would get together and frame a clause that would mean practically what is contained in this measure, and would apply it to themselves?

Mr. FISHER. That is a matter for further consideration. If such a clause could properly be framed and were thought suitable, I would have no objection to introduce it in a future session of parliament, but I would not want to introduce it in this Bill on the spur of the moment.

Mr. LANCASTER. It seems to me that the hon. minister might adopt the suggestion of the hon. member for East Lambton without restriction. I cannot understand how you can distinguish the officers of the commission from the members of the commission in regard to speculating in these matters. The injury to the country would be all the greater if the superior officers on the commission did it than it would be in the case of the minor officials, who would be controlled by the commission. To invite the members of this commission to deal with matters in which they might be privately interested as against the people is about the same as to say that a judge might properly be interested in a matter which was in litigation before him. I think that is against public policy. It has always been a principle that the members of a commission shall not be interested in or be permitted to obtain any personal advantage from the things in which they are em-

ployed in the interest of the people to deal with. A member of parliament cannot do it; a judge cannot do it; an officer of the Geological Survey cannot do it; and I cannot see why any member of this commission should want to do any of these things. If he does, he ought to resign from the commission. If that is what the hon. minister meant when he could not understand his own language, referred to by the hon. member for Dauphin (Mr. Campbell), I can see where the suspicion would be. If a member of the commission is going to have his feelings stuck out so far all around him, I would say that his feelings are too tender, he is not strong enough to do public work for the good of the people. Even if any of the commissioners wanted to do these things, this parliament should say they shall not do them, any more than a judge should try a case in which he is interested, or a trustee should take a secret advantage from the matters over which he is a trustee. I think it is a serious thing that the Minister of Agriculture does not rise to the occasion and say that the members of the commission, as well as their servants, shall not be permitted to do these things. Again, we are legislating that the poor man must be honest, but that the rich man may be as crooked as he likes. It is absolutely wrong to say that the ordinary officers and servants of this commission are to be absolutely straight and square, while their superiors are to be allowed to do themselves the very things which they would be obliged to dismiss their servants for doing. I understand that before six o'clock it was stated here that the business of a member of the chief chamber would be interfered with if he were prohibited from dealing. I would say that if that is the case, he should resign from this commission, to which is delegated the business of the people. We are told that one of these commissioners, a member of the upper Chamber, may take the benefit of information and do those things which we seek to prohibit any trustee from doing. There is where the suspicion comes in. We are told that the private business of one of these commissioners, a senator, may be interfered with if he is obliged to do what every trustee must do, and not make a secret profit or benefit from being a trustee. Be that man a senator or anything else, he should resign from the commission, and the law should be so amended that he could not do these things. It shows he is not fit to be a member of the commission when he wants to do these things.

Mr. FISHER. The arguments of my hon. friend were advanced and disposed of this afternoon. The question is whether we shall have a commission or not. If we are going to preclude every business man in Canada from being a member we may act as my hon. friend wishes us to do. The commission consists of men chosen for their prominence in various business walks in life and in the public affairs of this country, and it has been recognized that the commission is valuable from the standing of the commissioners as well as from the nature of its work. I have no hesitation in saying that if we adopted the amendment of my hon. friend from Lambton we would cause one-half the members of the commission to resign.

Mr. LANCASTER. So much the better for the people.

Mr. FISHER. I think that would be a great misfortune. The hon. member talks of the commissioners being like judges or trustees. Neither of these descriptions applies. They have certain powers and rights to investigate affairs in the country and to take steps to find out about those things. The work they are doing is in the public interest, they are not paid for it, they do it voluntarily. If we are going to be suspicious of them, we have to concoct an amendment which will be workable and bind them down by force of law and I would not care to be on that commission under those circumstances, nor to ask any of my friends to serve. Men like the hon. member for West Toronto (Mr. Osler) the hon. member for Jacques Cartier (Mr. Monk) Senator Edwards, who has been spoken of, have large business interests in the country and they would have to cease to be concerned in these important interests if this amendment should become law.

Mr. LANCASTER. No, they would cease to be commissioners.

Mr. FISHER. I would regret to see that. My hon. friend may want to turn out the commission. It would seriously impair the efficiency of the commission if these men were debarred from membership. Under these circumstances I do not think it would be wise to accept the amendment proposed. I am quite ready to accept it as it applies to the employees of the commission. In that respect it is directly in line with the clause in the Geological Survey Act, which debars civil servants from benefiting from information acquired.

Mr. LANCASTER. The minister says I want to turn out the whole commission. I want to turn out the whole commission if it was a thousand people if they are all interested against the interests of the people of Canada. There are probably 2,000,000 other men in Canada who are not interested, and the minister would not say that he could not select a commission out of those 2,000,000 of men who would not be interested against those for whom the commission are trustees. Members of parlia-

ment are prohibited from being interested in legislation; judges must not be interested in the suits to be decided by them, but by this Act, senators and members are permitted to take an interest against the people and to feather their nests through secret information at the cost of the country. I do not say that the hon. member for Jacques Cartier (Mr. Monk) or the hon. member for West Toronto (Mr. Osler) or Senator Edwards would do that. But I deplore the fact that the minister invites them to do so. What good is a commission if its members will use information acquired for their private benefit? Why is an Act of parliament passed if it is not in the interest of the public?

On the third reading of the Bill I shall vote against the minister's amendment and in favour of that of the hon. member for East Lambton.

On section 4, payment of disbursements of members attending committee meetings.

Mr. FISHER. Under the original Act it is provided that members shall be paid their disbursements in attending meetings of the commission. This follows out the same idea.

Mr. JAMESON. Why was not this provision put in the original Bill?

Mr. FISHER. When the Bill was passed there were no committees, but, at the annual meeting, the organization of the commission was perfected by forming some committees, each to deal with its own subject. This section is only carrying out the original idea by providing that the members shall have the same privileges when attending committee meetings as in attending meetings of the commission.

Mr. SIFTON. When the Act was drawn, the plan of work had not been fully thought out, and when the meeting was held we had to address ourselves to the question of how we were to conduct the work of the commission. The Act provided for the appointment of a chairman to be the executive officer of the commission. A difficulty that arose in connection with the practical work was that if the members of the commission met at the annual meeting, and passed general directions as to what should be done, thereafter the initiative would be left in the hands of the chairman, and the work and responsibility would devolve upon him. It was felt that that was not a desirable way to carry on the work. We desire to have the services of as many members of the commission as possible, and to have their judgment, and advice from time to time upon the various important questions with which we have to deal. After giving the matter the best consideration we could, we came to the conclusion that the best method of organization was

to appoint committees to deal with the different classes of subjects, and to appoint a member of the commission as chairman of each committee. The logical corollary of that is that, from time to time, we shall be able to have meetings of the committees to discuss and deal with the particular subjects which these committees have in their purview. It will be seen that this will obviate the necessity of having more frequent meetings of the commission. Had this not been done, it would have been necessary to call meetings of the commission three or four times a year which would have meant bringing all the members of the commission here, and holding a large meeting when a small meeting might be all that is necessary. Under this scheme of organization, the practical work will be carried on by these committees, and the investigation and collection of information will be under their direction, and especially under the direction of the chairman of the committee. I may explain, as it will probably be of interest to hon. members, that the chairman of the committee on public health is Mr. Osler, the chairman of the committee on forestry is Senator Edwards, the chairman of the committee on waterways is Mr. Monk. Professor Robertson is chairman of the committee on lands and agriculture, and Mr. Haszard, the premier of the province of Prince Edward Island is chairman of the committee on fisheries.

Mr. SPROULE. I do not quite understand the connection which makes it necessary for a conservation commission to have a committee on public health.

Mr. FISHER. The work of that committee is largely connected with the pollution of streams, and the conservation of the public health generally. This was one of the subjects submitted at the Washington conference of last year, and I have no doubt whatever that there will be a very important work to be done in connection with that by the commission through this particular committee. The public health is regarded as one of the most important assets of the nation, and the work of the commission in this matter, it is expected, will be of great value.

Mr. SPROULE. Would that committee have any power to prevent a municipal corporation, for instance, from allowing the sewerage to be run into a stream?

Mr. FISHER. No, the commission has no power to prevent anything or do anything of that kind. All it can do is to obtain information, formulate that information for the public, and, perhaps, tender advice.

Mr. SPROULE. To the Governor in Council?

Mr. FISHER. Or to the municipal authorities.

Mr. SPROULE. They could only report to the Governor in Council according to their own Act of incorporation.

Mr. FISHER. So far as a formal report is concerned, yes.

Mr. SIFTON. To give practical and concrete instances, I may say that, so far, the commission has considered two questions in connection with public health, tuberculosis, and the pollution of rivers, and streams. It is our desire to collect all the information that can be collected in regard to the best method of bringing about the prevention of tuberculosis, and the best method of giving the assistance of the federal government to the bringing about of that end. When subjects have been thoroughly investigated, we make our report to the Governor in Council. There our responsibility ends; it is for the Governor in Council to submit the report to parliament, and for parliament to take any action that it may think proper. Take also, for instance, the pollution of rivers and streams; that has come to a very serious point in Canada. The Senate has been investigating the matter. They have held a preliminary investigation, and brought in their reports, and have referred the report generally to our commission for further investigation, and that we may make a report on a practical method of dealing with it. I think I may say that the commission is well fitted to bring about an understanding between the provincial and the federal authorities, particularly in cases of jurisdiction over public health, the jurisdiction is concurrent by reason of the fact, that it comprises representatives from all the governments. There is a department that has some jurisdiction over public health under the administration of the Minister of Agriculture, and each province has a department of public health. But medical men say, and the fact is clear, that there are gaps between the operation of the jurisdiction of the two bodies, and what they want is some complete plan agreed to by the provinces, and by the Dominion that will accomplish the purpose desired.

Mr. R. L. BORDEN. Does the word 'chairman' refer to the chairman of the commission or the chairman of the committee?

Mr. FISHER. To the chairman of the commission.

Mr. JAMESON. The member for Brandon referred to the committee on fisheries of the conservation commission; perhaps he would give us a little information with respect to the functions which that committee will perform. There is a committee of this House to look after matters pertaining to fisheries and marine, and it would be interesting for us to know what is the nature of the work which this branch of the conservation commission will take up, and to whom it will report.

Mr. FISHER. The committee on fisheries has not yet taken up their work or laid out their plans. I have no doubt that during the summer this committee will meet. The chairman of the committee is the premier of Prince Edward Island, and, he has been so busily engaged in his administrative work that he has not been able to leave, and consequently there has been no meeting of the committee. My hon. friend asked to whom they would report. All the committees of the commission will report to the commission, and their reports will be embodied in the general report of the commission.

Mr. JAMESON. We have now a very elaborate Department of Fisheries which is divided up into a number of branches that are doing considerable work. We have also a committee of the House. Now, I cannot understand why another commission or committee should undertake to investigate matters which are now being investigated by a committee of this House. I suppose there is at least an apparent need for the committee of this commission?

Mr. SIFTON. I cannot answer my hon. friend with any degree of definiteness. The idea was that by appointing that committee on fisheries we would make a careful examination of all the regulations relating to the preservation of fisheries throughout the Dominion, both by the Dominion and by the provinces; and if they found on careful examination of the regulations, and the principles on which they were enforced in the various provinces, that it would be in the public interest to make any recommendation for their amendment, they would do so. They have not yet made any examination.

Mr. CROSBY. It is strange that we should have this fisheries committee of the Conservation Commission when we have a standing committee of this House to deal with fishery matters, summoning and obtaining evidence from all parts of the country. We are going to have another committee spending money in practically the same direction to get evidence in connection with the fisheries. I cannot see any necessity for a fisheries branch of the Conservation Commission. Are we going to appoint two committees to do practically the same work, or how are you going to separate the work of these committees? I protest against another committee being appointed by this parliament to waste the money of the country when we already

have a standing committee of this House, with the Minister of Marine and Fisheries at its head, to look after the same interests. I do not see the need of appointing for the same purpose another committee which is a portion of this so-called Conservation Commission. If this Conservation Commission is going to do the whole business of this parliament we had better appoint it for that purpose. But we have already taken up that matter, we are dealing with it, and I see no good reason for appointing another committee, because there is no doubt that if the fisheries committee of the Conservation Commission is sent out to deal with fishery matters it will be a heavy charge upon this country. We do not desire to have that commission do work that is already provided for by this House.

Mr. W. H. SHARPE. I would like to ask the minister if the commission has been paid for the work it has already done, and how much it amounts to?

Mr. FISHER. I think the annual meeting cost about $1,600. I could not say how much has been paid in actual travelling expenses and how much in other expenses.

Mr. W. H. SHARPE. How many individuals drew that money?

Mr. FISHER. There are thirty-two members of the commission, but, of course, a number of them were here, and they would not draw anything.

Mr. SPROULE. The law says that the commission shall consist of twenty members.

Mr. FISHER. There are twelve ex-officio members besides, making thirty-two altogether, and, some of these being here already, they did not draw any travelling allowance.

Mr. JAMESON. It would be well that the two committees—the committee of this House and the committee of the Conservation Commission—should not proceed along similar lines, and that we should not take up the time of these different committees in doing the same work. I dare say there is work enough for both of them, but I think that the chairman of the commission should see to it that the committee of the commission does not go over the same kind of work that the committee of the House is doing.

Mr. FISHER. I think my hon. friend's suggestion is a very wise one. I am sure that the commission will find plenty of work to do without overlapping the work of the committee of this House. That would be far from their desire. My hon. friend from Brandon said a few minutes ago that one of the works that could be done by the Fishery Committee was to find out exactly what are the various regulations, provincial and Dominion, with regard to fisheries, to see if at any place there was overlapping, or a break without any provision for proper care. A committee of this House cannot investigate provincial matters at all, but the commission being composed of representatives of the provinces, it is almost as much a provincial body as it is a Dominion body. The interests of the Dominion parliament, and of the provincial legislatures are all open to the investigation of this commission. Such work is not open to the investigation of a committee of this House. There is, therefore, an obvious possibility of the commission being able to do work which a committee of this House could hardly undertake.

Mr. CROSBY. Am I to understand that there is some doubt as to whether this parliament has the regulation of the fisheries?

Mr. FISHER. I do not express any opinion.

Mr. CROSBY. If I understood the minister correctly, he stated distinctly that this committee could inquire into the rights of the provinces and of the Dominion in regard to the fisheries. The province has nothing to do with the fisheries of this country.

An hon. MEMBER. You are wrong.

Mr. CROSBY. They have not in the province from which I come.

Mr. CONMEE. They are owned by the provinces.

Mr. LENNOX. No, they are not.

Mr. CONMEE. By the old provinces.

Mr. CROSBY I am speaking of the only provinces that are worth speaking about in reference to this matter—the provinces on the Atlantic and the Pacific. The hon. member for Digby (Mr. Jameson) stated that there was work for these two committees to do. I take issue with him there. There is no necessity for burdening this country with the expense of another committee, when we have a committee of this House to deal with the fisheries. It has cost this country a good deal for taking evidence and obtaining information in regard to the fisheries, and if this commission goes out and starts into the same thing we will be spending money which will not be well spent. I do not see the necessity for a Fisheries Committee working in conjunction with the Conservation Commission.

Mr. GOODEVE. As representing the Minister of Public Lands in British Columbia I probably would be able, to a certain extent, to answer the question ask-

ed by hon. members. I feel that the question was amply justified and that they are entitled to the information asked for in regard to this particular committee of the Conservation Commission. Looking upon the fisheries as one of the great natural resources of this country, and realizing that it is the object of this Conservation Commission, as far as possible, to conserve the natural resources, and get all the information available with regard to them, this committee was appointed in common with several other committees that have been referred to by the hon. member for Brandon (Mr. Sifton) as chairman of the commission. The work, as I understand it, of this committee, will be of a more general nature than the work which would be undertaken by a parliamentary committee, or a committee under the direction of the Department of Marine and Fisheries. It is to get a general idea of the resources in fish of all parts of Canada, not only the information that they may get in connection with the fisheries of Canada but information in connection with the fisheries all over the world, information of rather broader nature than would be obtained by a committee of this House appointed to deal with the question of fisheries. The information that they would endeavour to collect would be on a broader and larger line. They might possibly act in an advisory capacity both to the Dominion government and the various provincial governments throughout Canada. If we get, for instance, statistical knowledge of my own province, and some other provinces as well, gathered together and reported to the general commission, I believe it would be very valuable to the provinces as well as to the Dominion in formulating policy. There has in the past been friction between the Dominion, and the province of British Columbia, as well as other provinces, and it is possible that an independent commission such as this might possibly get information which would enable these difficulties to be smoothed over and regulations framed which would be of advantage to the Dominion as a whole. As representing on the commission my own province I felt it my duty to state what I understood to be the prerogative of the commission.

Mr. FISHER. In reference to the suggestion made by the hon, member (Mr. Armstrong) I would move as section 7 at the end of the Bill that the said Act be further amended by adding to it the following clauses which will make applicable Bill (No. 84) introduced by the hon. member (Mr. Armstrong) to the officers of the commission, but which, according to the understanding this afternoon, will not include the members of the commission.

Mr. ARMSTRONG. I understood that the minister was to take clause (c) in section 18, and add it to this Bill.

Mr. FISHER. I may say that after the discussion the hon. member for Brandon had a short private conversation with the leader of the opposition, and he told me that that hon. gentleman had agreed with him that it would not be workable in that way, and therefore I left it out.

Mr. ARMSTRONG. Then, I understand from the Minister of Agriculture that before the third reading of the Bill he and the hon. member for Brandon will get together and try to devise some clause to cover it?

Mr. FISHER. I did not say that. I said that I hoped that before next session something might be worked out. I did not undertake to do it this session.

Mr. S. SHARPE. I do not suppose it is the purpose of the Minister of Agriculture to ask the House to pass the third reading of the Bill to-night. It had better be reprinted and held over for further consideration on account of these important amendments.

Mr. FISHER. Certainly.

Mr. S. SHARPE. The purpose of this commission is a very laudable one, and we are all in sympathy with it; but why the servants of the commission should be penalized and the members of the commission left free from the operation of the Act I cannot see. I think the amendment proposed by the hon. member for Lambton should be accepted in toto, or the Minister of Agriculture and the hon. member for Brandon might get together before the third reading and frame some compromise amendment that would meet the case. Am I right in saying that $50,000 is being appropriated for the purposes of this commission?

Mr. FISHER. There is a vote of $15,000 in the main estimates, but I presume there will be a supplementary vote?

Mr. S. SHARPE. That is for employing engineers and other experts and collecting information.

Mr. FISHER. Largely.

Mr. S. SHARPE. Is that information going to be available to the members of the House in the various committees and in the House itself?

Mr. FISHER. It will be available to the public, I think?

Mr. S. SHARPE. The reason I ask that question is that in the Railway Committee

the other day a very important measure, the Bill proposed by the hon. member for Rainy River, was being considered, and one of the members of the committee moved that it be referred to the Conservation Commission for an opinion. The Minister of Public Works, who was present, resented the suggestion, stating that the committee would have to assume the responsibility of the Bill, although a Bill had been sent previously by the Private Bills Committee for a report from this commission. Is the expert knowledge of the commission on questions of this kind going to be available?

Mr. FISHER. That question was fully discussed this afternoon.

Mr. SPROULE. If some means could be devised whereby we could get the benefit of the work and judgment of the commission during the session, I think it would be more valuable than their annual report.

Mr. FISHER. The commission has only been in existence during the last fiscal year, which is just ended, and has not yet made its annual report. I have no hesitation in saying that we ought to be in a position to avail ourselves of any information which the commission gets, and the sooner that is published after it is acquired the better.

Mr. SPROULE. Should there not be a provision in the Bill enabling or requiring the commission to do that?

Mr. FISHER. The hon. member for Brandon states that if the House wants any information from the commission on any subject, the commission would of course at any time obey an order of the House asking for anything of the kind; and, speaking for myself as a member of the commission, I have no doubt that the moment any information is acquired, in a form in which it could be published, the commission would not wait for its annual report to publish it, but would publish it perhaps in the form of a bulletin.

Mr. SPROULE. That is what we have asked for time and again during this session. We wanted a report from the commission on the Conmee Bill, but we were told that we had no right to demand or expect anything from them. I think there ought to be some statutory or parliamentary provision by which we would be able to get the benefit of their knowledge at any time on any of these important questions if the House desired it. What the Minister of Agriculture says is, I think, in the right direction.

Mr. FISHER. I think we shall have to consider a little the machinery by which that can be obtained, but I do not know that I can get it in such shape as to insert it in this Bill. It is a matter that requires some consideraion as to the manner and method to be employed by the House or by the committees to get that information.

Mr. SPROULE. Why not amend clause 13 and say that the commission shall make its report to the Governor in Council at the end of the fiscal year or at any other time when requested to do so by the Governor in Council.

Mr. TURRIFF. It seems to me that it is of considerable importance that we should be able to get information from the commission outside of the annual report. As I understand the members and officers of this commission will be making themselves familiar with questions concerning the conservation of the natural resources of Canada. Time and again this session in the Railway Committee a great many members have desired to get information that this commission might have had in their office, and I trust the minister will devise a means by which any committee of the House wishing information from the commission would get it at any time.

Mr. GOODEVE. I certainly endorse the suggestion advanced by the member for East Grey (Mr. Sproule). It seems to me that as this commission goes on, they will become more expert and will gather around them a number of men expert in certain lines, who might be asked to furnish expert information on short notice, even although the commission might not have it at the time. Then, too, they would have a great deal of information on hand. A committee of the House might wish for information, and we could simply ask the commission and get a report immediately upon request. It would be a great advantage to the House.

Mr. FISHER. The hon. member for Brandon (Mr. Sifton) is drafting an amendment.

Mr. SPROULE. I would suggest that the section read that they shall make their report at the end of the year or an interim report on any subject or subjects when requested by the Governor in Council.

Mr. FISHER. The hon. member for Brandon (Mr. Sifton) has drafted this amendment as an addition:

In addition to the annual report, the commission shall report from time to time to the Senate or to the House of Commons through the Speaker thereof whenever desired to do so by resolution of the Senate or of the House of Commons as may be.

By that method the information would be always available to either House.

Bill reported.

ROCKY MOUNTAINS PARK OF CANADA.

House in committee to consider the following proposed resolution:

Resolved, that the regulations of the 21st day of June, 1909, intituled: 'Regulations of the National Parks of Canada,' which were passed on the date above mentioned by His Excellency the Governor in Council, under authority of section 4 of the Rocky Mountains Park Act, being chapter 60, R.S.C., 1906, copies of which regulations, as well as the necessary order in council, have been laid before this House, are, in so far as they relate to the Rocky Mountains Park of Canada, approved by this House, in accordance with provisions of subsection 3 of section 5 of the said chapter 60.—Mr. Oliver.

Mr. SPROULE. Am I correct in understanding that this resolution merely legalizes the regulation I hold in my hand? No Bill is necessary to give effect to the resolution?

Mr. OLIVER. No.

Resolution read the second time, and agreed to.

WATER-POWERS IN BRITISH COLUMBIA RAILWAY BELT.

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—read the second time, and House went into committee thereon.

On section 1; this Act may be cited as the Railway Belt Water Act

Mr. SPROULE. That means that it applies to no other locality than the railway belt? It does not apply to any other portion of the province or territory?

Mr. GOODEVE. Will the minister explain the general purpose of the Bill?

Mr. OLIVER. Yes, the Bill, as was said a moment ago, and as implied by the title, affects what is called the railway belt of the province of British Columbia. But it affects also an area of three and a half million acres of land in what is called the Peace river block. That is, it affects the whole of certain lands, which, under agreement between the province of British Columbia and the Dominion of Canada were granted by the province to the Dominion in connection with the construction of the Canadian Pacific railway. The administration of these lands thus rests upon the Dominion instead of upon the province in which they were situated. During many years it was taken for granted that, while the land was administered by the Dominion, the water was controlled and administered by the province. Under that supposition, the general legislation of the province regarding water and water rights was applicable to the railway belt, and grants were issued from time to time by the province of rights to water within the railway belt. While the right of the province was always assumed to exist in regard to water there was always a question as to whether it really did or did not exist, and so, in the case of some grants that were made by the provincial government, of rights to water within the railway belt, the grantees, in order to make themselves secure, while they got the grant from the provincial government, got a quit claim from the Dominion government of any rights that the Dominion might possess. The question as to whether the right lay in the province or in the Dominion, however, was brought to an issue by a certain case at law which was begun some years ago, and in regard to which judgment was given by the Exchequer Court in May, 1909. By the judgment of the Exchequer Court, the water in the railway belt was vested in the Crown in the right of the Dominion not in the right of the province. Of course the decision of the Exchequer Court was appealed, but it has since been upheld by the decision of the Supreme Court in Ottawa. It is, of course, to be expected that this decision will be again appealed and carried to the Privy Council. When the decision of the Privy Council is rendered, of course the matter will be considered settled and the right to the water will be considered finally vested either in the Dominion or in the province as the case may be. Inasmuch as rights to water in the railway belt had been issued by the province during a long period of years, and that at the end of that period the courts have declared that the rights did not rest with the province but with the Dominion the grants which had been given by the provincial government are grants without valid authority. Consequently, what may be called a chaotic condition exists in the railway belt in regard to water rights. Rights which were granted by the province have been invalidated by this decision of the courts, and as the Dominion has not undertaken to grant any rights, those who have held legal rights to the use of water for many years now find that their right to that water is subject to question at law. This is a condition which it is undesirable to continue. In everybody's interest, it is desirable that there should be a validating of existing rights.

Mr. SPROULE. Does the hon. minister think it the part of wisdom to pass legislation for that purpose during the time when the question is before the courts?

Mr. OLIVER. Of course, if anything better can be done, it would be better not

to pass this legislation. But there are very large and important interests——

Mr. SPROULE. That is the very reason why you should not disturb them.

Mr. OLIVER. We do not want to disturb them, but they are disturbed by the decision of the courts. What we want is to give them a legal standing, to carry their position forward at any rate until the final decision of the Privy Council has been given.

Mr. GOODEVE. Is the Bill simply to validate, grants already issued by the province, or will it interfere with the case that is going before the courts?

Mr. OLIVER. No.

Mr. GOODEVE. It does not go further?

Mr. OLIVER. No, it is not intended to interfere with any matter in litigation, that is, it is not intended to affect one way or the other any matter in litigation; but unless there is such legislation as this there is no basis for litigation.

Mr. GOODEVE. I do not like to ask this, but not being a lawyer myself, and the member for Vancouver (Mr. Cowan) who went home for his Easter holidays and will be back to-night, and also the member for Victoria (Mr. Barnard), both lawyers, will be back to-night, I would suggest that the minister allow this Bill to stand until they arrive, for I am sure they would like to discuss it.

Mr. OLIVER. I have already arranged not to press the Bill through committee, but I was anxious to get it into committee, to explain its provisions in committee, and have it discussed in a preliminary way. Then I propose to leave it until those hon. gentlemen are present who are more deeply interested in the subject. As I was saying, we want to provide for a condition which exists for the time being. These rights which have been brought into a condition of uncertainty by the decision of the court, are of large financial importance, and it is not a sound policy that great interests should remain without legal standing, even for the space of a few months, when the authority of parliament is sufficient to cure that condition. One purpose of the Bill is to validate for the time being rights which were granted, but the foundation of which has been taken away by the decision of the court. The other purpose of the Bill is to enable the granting of new rights under the authority of the Dominion, so long as the authority rests in the Dominion, so that the development of water-power and water-rights in the belt will not be tied up or affected, pending a final decision of the Privy Council. Briefly, the purpose of the Bill is to relieve a deadlock in the situation in regard to water-rights in the railway belt of the province of British Columbia, resulting from the decision of the court, and pending a final decision by the Privy Council.

Progress reported.

VOLUNTEER BOUNTY ACT AMENDMENT.

Mr. OLIVER moved the second reading of Bill (No. 163) to amend the Volunteer Bounty Act, 1908. He said: The Bill contains practically only one provision, it is a provision to allow the extension of one year for the location of bounty warrants, the issue of which was authorized under the Volunteer Bounty Act, 1908. Under that Act the location of bounty warrants was authorized up to the end of 1910. The Act was passed in 1908, and the rights under it expire at the end of 1910. As the persons who were entitled to this bounty were scattered all over the world, you might say, it was a considerable time before they all heard of the rights that had been accorded them under the Act. As it took a considerable time in some cases to establish their rights, it has been felt that the time allowed for the exercise of those rights was at least not more than enough to do justice to the case. At the same time it must be admitted that there was sufficient time if reasonable energy had been used on the part of all parties interested. On the other hand, there was this precedent which was present in the minds of many of those who were interested, that in no previous case had the right to bounties which were granted by parliament been terminated at the end of the first term of the grant. In the case of the volunteers of the first, second and third Red river expeditions, and in the case of the volunteers of 1885, the rights which were terminable on a certain date were extended from year to year by further Acts of parliament, and in every case there was a number of extensions, so that when the time given for location was so comparatively short and when the beneficiaries were so widely scattered it was felt that it was perhaps hardly fair, that, there having been such precedent for an extension of time, there should be no extension of time in this case.

Mr. SPROULE. Why do you not make it 1912 instead of 1911? There are only nine months until 1911. It is a very short time.

Mr. OLIVER. The request was made by a number of volunteers for an extension of time until the end of 1912; that is a further extension of two years. Against that the view is taken that it is not sound policy to

allow this privilege for any longer time than is absolutely necessary, and we agreed to ask parliament for an extension of one year chiefly for the purpose of removing any claim of hardship that might possibly exist and yet give no longer time than was absolutely necessary to enable the grantees to get the full benefits of their grants.

Mr. HUGHES. What is the meaning of section 4?

Mr. OLIVER. For that reason the Bill asks merely for an extension of time for a period of one year. The amendment that I have spoken of is found in sections 2 and 3. Section 4 is a minor provision, and yet it is perhaps well that it should be explained. When the actual grant was issued, in some cases it was lost, and there is no provision for the re-issuing of any lost scrip. At the same time it is felt that if there had been an actual loss, the person who was entitled should not suffer if the loss could be proven in order to protect all interests. While the person who was entitled to this scrip was allowed to make entry for the amount of land that the scrip called for, before he was allowed to do so he was required to put up a bond with the department to the amount of $3,000 as security in case the scrip should actually turn up and its location be demanded by some person else. A guarantee company would charge a considerable amount of money as a consideration for putting up a bond of $3,000. It was felt that if we were going to extend the time for the location of this scrip, that is if we were going to lengthen the period during which this scrip shall be of value, that lengthening of the period was placing an added burden upon the person who had given the bond, so that instead of carrying the bond until the end of 1910 he would be compelled to carry it until the end of 1911, and we thought it was not fair that he should be required to carry the bond beyond the time for which the scrip was originally valid. So, by section 4 of the Act, we provide that in the specific cases in which the scrip has been lost and a bond has been put up with the department, the particular scrips mentioned in the schedule on the back of the Bill are not valid after the end of 1910. The provision in section 5 is to get over a flaw which occurred in the drafting of the Act passed in 1908 by which there was a contradiction in terms. While the Bill declared that the rights should only be in accordance with the Homestead Act, there was certain wording which seemed to indicate that the right of locating under the Act did not require to be exercised until the end of the year 1910. As there was a contradiction in terms of the Act the department administered it in accordance with what was believed to be sound public policy, and in accordance with the intent of parliament. Therefore, it was administered in accordance with the terms of the Homestead Act. Occupancy of the land was insisted upon within six months after the date of entry. Under an order in council, before the scrip was granted an agreement was signed by the grantee that he would conform to that requirement, and section 5 of this Act is for the purpose of validating that order in council. These are the three provisions of the Bill, one of major importance, extending the time for location of the scrip for one year until the end of 1911, the other two of minor importance, one arising out of the administration, providing for certain accidents which have occurred, and the third curing an error in the wording of the original Act.

Mr. BLAIN. May I ask the minister how many volunteers have taken advantage of the bounty, and how many it is expected will take advantage of it before its expiration? I may say that there is some criticism in the press, and some circulars have been issued, stating that this extension of time is more in the interest of the speculator in this land than in that of the volunteer. No doubt all this information has been communicated to the minister. Perhaps he would be good enough to state to the committee whether, in his opinion, this extension is more in the interest of the volunteer or the speculator?

Mr. OLIVER. The answer depends on how many of these grants still remain to the benefit of the volunteer and how many have passed out of his hands into the hands of the speculator. If more than half are in the hands of the speculator the extension will certainly benefit the speculator more than the volunteers. If some are still in the hands of the volunteers it will certainly benefit the volunteers more than the speculators. However, that was not a feature of the case that was considered. The desire was that the volunteer should receive the full benefit that it was intended he should receive, and if he retains his scrip, whether he was in the majority or in the minority, our desire was that he should get the full benefit. That was the case that was pressed upon us by the representatives of the volunteers that called upon the government. In the original Bill the principle was accepted by the House that the person who acquired the scrip from the volunteer should stand in exactly the same position as to his rights as the volunteer himself. It was the interest of the volunteer that it should be so, it was the will of parliament it should be so, and parliament having so decided in the interest of the volunteer the government in preparing the Bill did not draw any distinction between the scrip, which was still in the hands of the volunteers, and the scrip

which had passed out of their hands into the hands of speculators.

Mr. HUGHES. When the Bill was introduced I drew the attention of the minister to that aspect of the case. These young volunteers had almost given up hope of getting scrip, because year after year excuse was given by the government: first they were not sure whether they would retain control of the Dominion lands when the provinces were established, and having retained control the government for years hesitated before they issued the scrip. Had the volunteers known when they returned from South Africa in 1900 to 1902, that the scrip would be issued in 1908, or had it been known in 1908 that they would have had until 1910 to settle on the homesteads, they would have laid up some money to enable them to make a start. But, they were only given to the end of 1910 when the scrip was issued, and many of them being unable to raise the necessary funds to go to their homesteads by that date, they sold their scrip at a sacrifice to these dealers all over the country, who like all other dealers, were some of them honest and some most unscrupulous. A number of these volunteers were practically swindled out of this scrip by these dealers. It would be a scandal to give these speculators the advantage of this extension of time provided for in the Bill. If any advantage is to accrue to any one it should accrue to the volunteer who sold this scrip. The volunteer who is not yet located should get two years extension, but the speculator should not be entitled to any advantage. He beat the volunteers —why in this very city one of these speculators got a young man to sell him the scrip for $10, and the Minister of Militia took the precaution to get the Minister of the Interior to provide in the Act that any agreement for the sale of the scrip before it was issued should be cancelled. That was done to protect the volunteers. It is very easy to provide that the speculator shall not get this advantage by adding a clause to that effect to the Bill. There is another aspect of the case to which I wish to call attention. Unfortunately two or three of these young fellows died on the way to South Africa, and in the case of one who died in the Gulf of the St. Lawrence, his friends received the scrip, but it was refused to the friends of others, the excuse being given that in the first place the scrip was issued without understanding the technicalities of the law. I hold that as the minister granted the scrip in one case he is in duty bound to do it in the others, and if the law does not permit him to, he should have the law changed. I also maintain that the men who enlisted and went to Halifax, and through accident or illness were prevented from going to the seat of war, are entitled to the scrip. Then again, I cannot understand why the civil surgeons did not get scrip. In the first place I do not know why the civil surgeons were not enrolled, because in the columns I had anything to do with they were all enrolled. However, in many localities, the civil surgeons remained civil surgeons to the end of the war. But, they were in the thick of the fight, and they are, in my opinion, absolutely entitled to scrip. Again, I say to the minister, that it would be a scandal to give this extension of time to the speculator, who practically got the scrip for nothing from the volunteers. I know two or three cases where the boys borrowed money and went out to settle, but in other cases they were not so fortunate, and were obliged to sell the scrip at whatever was considered to be the market value. Again I say that the speculators should not be allowed to still further profit at the expense of the volunteers.

Mr. CROSBY. I hold that the men who garrisoned the city of Halifax before any volunteers were sent out to South Africa from Canada, and who took the place of the Imperial troops to allow them to go to South Africa, are entitled to scrip. These men enlisted as soldiers of the King and they could be sent to South Africa at any moment, and are entitled to consideration. I brought this matter to the attention of the minister last year, and I hope that tonight he will be able to tell us that the men who garrisoned Halifax will get their scrip the same as the others.

Mr. BURRELL. Some time ago the minister told me that he was considering whether he would open a portion of the railway belt for location under this scrip. I would be glad to know if he has yet reached a decision on that point.

Mr. OLIVER. Nothing has been done in that direction. Provision is not made in either the Bounty Act, or the Dominion Lands Act for location within the railway belt, and I hardly think that it would be in the interest of settlement in the railway belt that such a provision should be made. There are some 7,000 of these grants which call for 320 acres of land each, and it seems to me that the injury, may I say, that is done on the prairies, where the land exists in millions of acres, is so serious from the establishment of this number of special grants, that if it were transferred to the limited area of the railway belt of British Columbia, I am afraid that it would tend against the development of the railway belt to a degree that would be very injurious to the interests of the province. I shall be quite prepared to discuss the matter at a later date, though I may say that it is not involved in any way in this Bill.

Mr. CAMPBELL. I would like to ask the hon. minister if he did not give out the statement last year, when this House was in session, that there would be no extension of time.

Mr. OLIVER. Not that I have any remembrance of.

Mr. CAMPBELL. I regret that the minister has such a short memory. I would like further to know what reasons there are at the present time for extending the time. I object to that, at any rate with regard to scrip held by speculators. I think it is wrong in every sense of the word. I believe it is entirely justifiable that the men who went to South Africa and took their chances for the sake of the old flag, should be allowed all the opportunity possible to take advantage of the concession granted them by the government; but the speculators, as everybody knows, as the minister himself knows, bought the rights from these volunteers for a nominal sum; and I think it is a shame to enable these men to enrich themselves at the expense of the volunteers, and of this country by changing the law in this way. I know of my own knowledge that no later than January last a certain speculator of Winnipeg, representing the old grafting bunch there, came to Ottawa, interviewed this government, and then telegraphed to a broker in Winnipeg: Buy up all the scrip you can, at whatever price you can get it.' Scrip was bought at $750—320 acres of land for less than $2.50 an acre. I strongly object to that sort of thing, not because I happen to be on one side of the House, and my hon. friend on the other side, but I object to it as a matter of right and wrong. Protect the volunteers, and the people of Canada, but do not play into the hands of speculators. As I do not wish to detain the House, I will leave whatever other remarks I have to make until we go into Committee of the Whole on the Bill.

Mr. STEWART. I would like to say a word on behalf of those volunteers who lost their lives at sea on the way to South Africa. In Hamilton there are two widows whose sons, the only support they had volunteered and started for South Africa. One of them died on the way, and was buried at sea; the other died after he had landed in South Africa, and was buried there. These widows I know to be very much in need of support, and this grant would be of very great assistance to them. When the Act was passed I do not believe it was the intention to leave out those volunteers who died at sea. I have spoken to some of the ministers on the subject, and they have practically admitted that it was a mistake to put through the Act in that form. I appeal to the minister to take into consideration these cases. There is no good argument why the grant should not be made to those who died at sea; they practically did as much as those who went to South Africa, and fought and came back. I do not think anybody will object to this, as it is only fair, and I would like the minister to add a clause to the Bill providing for cases of this kind.

Mr. ROCHE. Few of us, especially from the west, have not received letters, and petitions from public bodies, and individuals opposing this Bill. Grain Growers' Associations all through Manitoba have passed resolutions condemnatory of such an extension of time. The Grain Growers' 'Guide,' the official organ of the grain growers of Manitoba, contains the following strong article condemning the extension of time as a crowd of speculators will be the beneficiaries. The article is as follows:

Hon. Frank Oliver has introduced a Bill into the House of Commons to extend the time for settlement duties to begin on South African scrip until the end of 1911. This action is taken by Mr. Oliver despite the vigorous protests made by western farmers' associations. He knows that the scrip is now held by speculators and that his Bill will simply be a means of robbing western farmers still further. It is hard to understand how Mr. Oliver, with his eyes wide open, can take the part of the land grabbers against the bona fide farmers of the west. It begins to look as though the interests of the people were regarded very lightly at Ottawa. At the rate things are going a farmer will have to contribute more largely than ever to the support of the wealthy and privileged classes. Mr. Oliver is Minister of the Interior and is supposed to be looking after the interests of the settlers in the west. Instead of that he seems to be promoting legislation in the interests of the land grabbers.

This is a pointed and strong expression, no doubt elicited by the fact that these protests must have been sent to the Minister of the Interior, and his department, and apparently no attention has been paid to them. The principal reason advanced by the minister is that a precedent has been established in other land grants. I am not conversant with the conditions of other land grants, but present day conditions cannot be compared with conditions when the other grants were made. Immigrants are coming in by thousands; in a few years we will have little good land left for free homesteading purposes, and the speculators will utilize the scrips for their own aggrandisement, and to the disadvantage of the bona fide settler. It has been argued that if an extension of time is refused, all the grants will be placed on the market at the same time, causing a fall in price. If you discriminate, and allow the extension

only to the veterans who hold their land this will be obviated, whereas if there is an extension to include all grants, the prices will be enhanced, and the speculators will be the beneficiaries. I have seen it stated in a Winnipeg paper that since the Bill was introduced there has been a rise in the value of these land grants, and if the Bill passes there will be a further rise. At a meeting of the Grain Growers' Association at Shoal lake the other day a resolution was about to be put against the granting of an extension of time, but a prominent friend of gentlemen opposite asked the meeting not to pass the resolution saying it would not be necessary, because they had the assurance of the Prime Minister that no extension would be granted. By reason of that statement the resolution was not passed. I will not say such a promise was made, but that information, wherever obtained, was the means of heading off that resolution. We object to the speculator being the chief beneficiary as he would be if the Bill passed in its present form.

Mr. NESBITT. In what way would it rob the farmers of the west if this extension were made?

Mr. ROCHE. Some of the farmers are themselves desirous of getting the scrip as bona fide settlers, and if this Bill passes the price will be so enhanced that it will be beyond their reach. The speculator will not settle on the land, but many farmers would like to get the lands, and this will put them beyond their reach.

Mr. NESBITT. Would they not be speculators if they did?

Mr. ROCHE. No, they would settle on the lands or purchase them for their sons.

Mr. NESBITT. If I had scrip I would have to place somebody on the land.

Mr. ROCHE. If the hon. gentleman was trafficking in this it would not be either to locate some one or to settle there himself.

Mr. NESBITT. Suppose I were.

Mr. ROCHE. You can suppose whatever you like, but the ordinary speculator is not putting any one on the land.

Mr. NESBITT. Men whom I know who have bought scrip have put people on the land.

Mr. SEALEY. There are two sides to the question, and the pressure has not all been from the speculator. I know of two cases in Wentworth of people who were unable to accumulate a sufficient fund to settle on the land, and who would be obliged to sell out at a very small price if they could not have an extension until they could accumulate a sufficient fund to go on the land.

Mr. CAMPBELL. We have no objection to that.

Mr. SEALEY. I fancy that a quite large percentage of the urgency for this extension has come from that source, and so far as I know none has come from the speculative side of the question. I think the minister's action is to meet the case largely of the genuine volunteer who has not been able so far to accumulate enough to settle. I think the speculative class is small compared to the bona fide volunteer who wishes to settle.

Mr. NESBITT. I am not interested in scrip, I have never bought any because I have never had the money to buy it, but at the same time I know a number of young men who have scrip who have not sold it to speculators, but would be willing to sell it for a satisfactory price. If the extension would enhance the value the probabilities are that the original holder would also benefit as much as the so-called speculator. A few men from our section went to South Africa, and I do not know of any case where they were in any way defrauded about their scrip. A good many in my opinion got full value for their scrip, and the men who bought the scrip have not been able to get men to go on the land and locate for them. I know that they have been endeavouring, some of them very earnestly, to get men to go out and locate on the land. They personally do not want to go. For my part, I am not so much down on the so-called speculator. There is a speculation in everything we do, if we apply it in that way. I think there is nobody here who would not be ready to buy a lot in the city of Ottawa and sell it for an advance in price. I do not see why the man who bought this land from the young man who refused to locate on it should not have the same opportunity to get even with the money he has expended as anybody else. There is too much agitation against so-called speculation, but I do not know any gentlemen who are not perfectly willing to take an advance in price on anything they happen to buy, from a steer to a farm.

Mr. MACDONALD. There are, as my hon. friend from North Oxford (Mr. Nesbitt) has said, two sides to this question. Hon. members on the other side should remember that when the Act was passed, everybody in the House and country contemplated that a very large number of young men who went to South Africa, would not go to the Northwest to settle. Indeed, many hon. members would not have supported the Bill if they had thought that many of these men would remove from the places in which they resided. It was expected that a large number of these young men in the east would dispose of their rights and receive the money. I was one of those

who pressed upon the minister the importance of extending the time, and I spoke particularly on behalf of at least four young men in my own country entitled to receive this scrip, who had not made the location and were not in a position to get a title. I say that these young men had a perfect right to have this extension given.

Mr. CAMPBELL. We all agree with you.

Mr. MACDONALD. But there is no good in agreeing that there shall be an extension, and at the same time preventing the sale of the scrip at a figure that will give the owner as much as he ought to get out of it. The hon. member for Marquette (Mr. Roche) made it clear that his object is to lessen the value of the scrip in the hands of the bona fide veterans. I do not think that the House will agree with that. It may be that some gentlemen in the west would prefer to get this land cheaper than it would be possible to get it with the whole Dominion in competition for it, including the bona fide speculator, as the hon. member for North Oxford has said I think the men to be first considered are the boys who went to South Africa, and I think the solution of this whole thing is to keep in mind the idea that they should get as much out of it as they can. I think there can be no reasonable objection to the extension. Some of these young men waited, thinking that they could go out, thinking that home conditions would permit of their going. I think it would be unreasonable to say that no extension shall be given, and still more unreasonable to give the extension, and at the same time impair the value of the scrip.

Mr. DOHERTY. I agree that we should not do anything to impair the value of the scrip in the hands of the volunteer, who originally got it, and whom parliament intended should be benefited. But, if I understood the hon. member for Victoria and Haliburton (Mr. Hughes), his proposition was to deny the benefits of this Bill to scrip bought by people for speculative purposes before the passing of this Bill. And in that I agree with him. In answer to the hon. member for North Oxford (Mr. Nesbitt), I would point out that, with regard to scrip already sold, the volunteer got the value of that scrip with its standing restrictions and limitations. If that scrip had been good for an additional year, it would have been worth more money to the man who bought it—he would have had larger opportunity. But the volunteer got just what it was worth as scrip giving the limited right to locate before the end of 1910. Now, this measure is going to add value to that scrip by giving this extension of a year. That value ought to go to the volunteer who holds his scrip and wants to sell it. The day after this Bill is passed, he ought to be able to sell it on the basis of the extended time. But I do not see why we should allow legislation to give to the man who bought the scrip for speculative purposes a greater value than he bought, none of that added value inuring in any way to the benefit of the man who sold it. If the volunteer had known that the time was going to be extended for a year, he could have sold his scrip at a higher figure. The country is coming now to the rescue of the man who bought the scrip with the knowledge that the period for location would run out at the end of this year, and paid a price accordingly. We are going to make him a present of an advanced value that will not benefit the volunteer. It would not be a difficult thing to make the amendment suggested. There is a section in the Act restricting its application with regard to particular cases mentioned in the schedule. The amendment could be made by introducing into the fourth section after the word 'Act' in the second line these words:

Or any bounty certificate that has been, prior to the passing of this Act, sold or transferred to any person acquiring the same for purposes of speculation or re-sale.

This would simply except cases where parties have bought this scrip as terminable at the end of the year. The expression 'for purposes of speculation or re-sale' are introduced so as to make the exception inapplicable in case the volunteer has given his scrip to his children, or to a relative gratuitously. The holder of the scrip in such a case ought not to be prevented from getting all that is coming to him. But I do not think we ought to legislate in such a way as to give the speculator more than he bought and paid for.

Mr. W. M. MARTIN. I was interested in the remarks of the hon. member from Hamilton (Mr. Stewart), and the two cases of real hardship that he mentioned. These cases are ones for which, unfortunately, provision was not made in the original Bill. And, as the Bill before us simply provides for an extension of the time under the Act, for locating the scrip, such cases as the hon. member referred to cannot be taken into account at this time. With regard to the application of the hon. member for Halifax (Mr. Crosby), he seems to ask on behalf of men who remained in Halifax while others went out to fight the battles of the empire in South Africa. There was a point made by the hon. member for Dauphin (Mr. Campbell) with respect to the value of the scrip that was being sold, and he seemed to convey the idea that it was being sold for $2 per acre, and that carried the right to get 320 acres. I understand that the South African Volunteer Bounty Act carries the

right to locate 320 acres, but the man who locates it must go and perform homestead duty on the land. Now I am in favour of the Bill for the reason that there has been, particularly throughout the country from which I come, a general sentiment during the past year that the time for the location of South African scrip would be extended. To draw a distinction between men who are holding scrip for speculative purposes, and men who will actually locate on the land, and live on it, and perform their residence duties, I think is impossible. I know a number of men who live near the city of Regina, farmers who have already homesteaded there, and who have bought that scrip for the purpose of locating, and going actually on the land. If a man does not locate on it before the end of this year, he would come under the head of what some hon. gentlemen are pleased to call speculators. I submit that those farmers who have bought that scrip honestly in open market are just as much entitled to consideration as the men who were original holders, and are still holding the scrip. Like the hon. member for Marquette (Mr. Roche), I have seen the resolution passed by the Western Grain Growers, though I have not had any representations made by them to me in opposition to the Bill as proposed. I have only had one letter protesting against an extension of time proposed in the Bill. It is quite true that the Saskatchewan Grain Growers' convention at Prince Albert did pass a resolution opposing an extension of time on the ground that the scrip had gradually drifted into the hands of speculators. I must say that I know in my vicinity some men who have bought scrip, and are holding it for speculative purposes, but they bought the scrip honourably in open market, and I do not see why they should not be entitled to consideration. I have had representations made to me asking for an extension of time. There is a South African volunteer association of Canada which sent out petitions for an extension of time, not to the end of 1911, but to the end of 1912. They do not ask that they alone be granted an extension of time, they do not ask that speculators be excepted from the Bill, but they ask for an extension of time generally. I have before me a copy of the petition, and one of the arguments used in it appears to be a very reasonable one. It says:

> Unless the time is extended a premium will be put upon speculation, and instead of the volunteer reaping the benefit of the grant he will be forced in every case where he cannot arrange to make entry during the year 1909 to sacrifice his right and assign it for whatever may be offered at a time when the speculator in scrip is able to force a sale at a depreciation.

It seems to me there is considerable force in that argument, which is used by the volunteers themselves. If they do not get an extension they will be forced to sell their scrip at a depreciated value, because many of these men are not in a position to perform their settlement duties.

Mr. BEATTIE. If the case mentioned by the hon. member for Hamilton is correct, a great injury would be done to these two men. He states that two families have lost a son each. Now, those men were passed by the doctor as good, healthy men, they started on the trip to South Africa, but Providene did not permit them to get there, and they died at sea. I think those men are just as much entitled to scrip as any man who arrived there and fought on the battlefield. They went there for the purpose of doing their duty, and had they arrived there no doubt they would have done their duty. I think a great injury will be done to the families of those two men if scrip is not granted to them. I look upon those two men as just as deserving as any men who were shot on the battlefields. If scrip is not granted to those two families more injury will be done to them than by extending the time in favour of any other persons. I hope the minister will take these two cases into his favourable consideration.

Mr. HERRON. I hope when the Bill reaches the committee stage that the minister will favourably consider the extension of these privileges to those men who enlisted and left their homes for the purpose of going to South Africa, but who, through accident or illness, became invalided. I think their legal representatives or nearest of kin should be entitled to the same consideration as those who served in South Africa and returned. In particular, I think that any man who enlisted in a regular way, who started out to perform his duties, who loyally obeyed orders, and was injured while doing his duty, should receive all the benefits of the Act. I think there are only a few cases of that kind, probably not more than a dozen, in the whole of Canada. I have only heard of two or three cases of that kind, and I hope the minister will consider them favourably.

Mr. WALLACE. Is this the last extension there will be of this Volunteer Bounty Act?

Mr. OLIVER. I cannot answer that question. There is no extension yet, nor will there be an extension unless parliament should agree to the Bill which I now present to it. If my hon. friend wants my own view, I would say, certainly not, I would not think favourably of any further extension.

Mr. WALLACE. I think this Bill is rather unfair to a certain number of men who had to sell their scrip, and who had no knowledge that the time was going to be extended, while some others held on to it. I think the minister should say definitely now whether this is the last extension or not. It is only fair that the man who holds scrip now should know whether this is the last extension. The government must have some knowledge of that, and they should say now what their intention is.

Motion agreed to, Bill read the second time, and House went into committee thereon.

Progress reported.

Mr. FIELDING moved the adjournment of the House.

Mr. R. L. BORDEN. What business will be taken up to-morrow?

Mr. FIELDING. We propose in the morning to take concurrence on the remaining items of the supplementary estimates for the year just closed, including the special Supply Bill, and confined entirely to those items. That, I expect, will only take a short time, and after that the Race Track Bill, I understand, will have precedence.

Motion agreed to, and House adjourned at 11.50 p.m.

HOUSE OF COMMONS.

WEDNESDAY, April 6, 1910.

The SPEAKER took the Chair at Eleven o'clock.

HOUSE OF COMMONS STAFF.

Sir WILFRID LAURIER. I beg to lay on the table a recommendation by the Speaker with regard to the reorganization of the staff of this House.

POST OFFICE AMENDMENT ACT.

Hon. RODOLPHE LEMIEUX moved for leave to introduce Bill No. 197 to amend the Post Office Act. He said: There are only two lines in this Bill. The explanations which are on the order paper are taken into consideration by the House. This Bill is only to supplement them. I am obliged to transfer the superintendents of Railway Mail Clerks for the operation of the Post Office Act to that of the Civil Service Act.

Motion agreed to, and Bill read the first time.

QUESTIONS.

QUEBEC-LEVIS MAIL SERVICE.

1. Has the contract for the mail service between Quebec and Lévis been awarded? If so, to whom was it awarded?
2. How many tenders have been received, and who was the highest and the lowest tenderer?

Hon. RODOLPHE LEMIEUX:

1. Yes, the contract was awarded to the Lévis Ferry, Ltd.
2. Two tenders were received, the higher being from the Quebec and Lévis Ferry Company, Ltd., and the lower from the Lévis Ferry, Ltd.

INDIAN INDUSTRIAL SCHOOLS.

Mr. LAKE:

1. What decision has the government come to in regard to the continuance or otherwise of the system of Industrial Schools for Indians? If it is decided to change the system, what policy will be adopted and what measures will be taken to carry the new policy into effect?
2. Does the government propose to close the Indan Industrial School at Regina? If so, is it proposed to open any boarding schools in lieu thereof?

Hon. FRANK OLIVER:

1. The government intends to continue the system of industrial or rather residential, schools for Indians.
2. Yes. By agreement with the authorities of the Presbyterian Church, by whom the Regina Industrial school is conducted, increased residential school and other accommodation is to be given in lieu thereof.

RAILWAY MAIL CLERKS

Mr. MACDONELL:

Is it the intention of the government to favourably consider the application of the railway mail clerks for betterment of their position and increased salary made to the government in the month of January last?

Mr. LEMIEUX. The Post Office Department is in receipt of many petitions from the stampers and sorters of the city post offices throughout the Dominion pointing out that a material increase had been granted to the railway mail clerks a few years ago; that whilst they were doing practically the same work they were receiving very much less remuneration, and asking, in view of the similarity of the work, that the two branches be put on the same footing. It was further pointed out that the mileage granted to the railway mail clerks in addition to their salary placed them in a still more favourable condition, and many other reasons were given as to why the stampers and sorters should be placed on the same basis, exclusive of mileage, as

the railway mail clerks. So strongly did the sorters in the city offices put forward their case that the department has decided during the recess of parliament to go into the merits and demerits of the whole matter, and no action, therefore, will be taken this year as regards a change in the status of the railway mail clerks.

DUTY ON LINOTYPE MACHINES.

Mr. BLAIN:

Is it the intention of the government to remove the duty on linotype machines?

Hon. W. S. FIELDING. It is not the intention of the government to propose any tariff changes during the present session beyond what are now before the House.

Mr. L. F. CLARRY.

Mr. LENNOX:

1. In what transactions or cases has the government engaged the services of Mr. L. F. Clarry, lately of Hastings, barrister, as solicitor or agent; and who was the claimant, vendor, or releasor with whom the government was dealing in such cases?

2. What was the nature of Mr. Clarry's employment, and what was the date of his instructions in each instance?

Hon. A. B. AYLESWORTH:

Re L. F. Clarry, barrister, Hastings, Ontario, and Trent Canal claims:

Date of Instructions.	Docket No.	Claimant.
Jan. 29, 1909....	B. 1191 ..	M. F. Lynch.
" 29, 1909....	B. 1194 ..	F. Lynch.
Feb. 5, 1909....	B. 1195 ..	A. A. Humphreys.
" 5, 1909....	B. 1196 .	J. A. Warner.
" 5, 1909....	B. 1197 ..	G. A. L. Humphreys.
" 10, 1909....	B. 1216 ..	John Sergent.
Mar. 25, 1909 ...	B. 1273 ..	Jas. C. Dickey.
" 25, 1909....	B. 1274 ..	P. Crowley.
" 25, 1909....	B. 1275 ..	John C. Lynch.
" 25, 1909....	B. 1276 ..	Peter Brady.
" 25, 1909....	B. 1277 ..	F. McGuire.
" 25, 1909....	B. 1278 ..	Thos. Williamson.
" 25, 1909....	B. 1294 ..	Jno. Breckenridge.
April 5, 1909....	B. 1331 ..	Pat. English.
" 20, 1909....	B. 1363 ..	Chas. Fox.
" 20, 1909....	B. 1464 ..	Mat. Breckenridge.
May 3, 1909....	B. 1379 ..	Foulds Co. Ltd.
Aug. 3, 1909 ...	B. 1546 ..	Thos. Davidson.
July 30, 1909....	B. 1547 ..	Jno. Breckenridge.
" 23, 1909....	B. 1548 ..	A. M. Cameron.
April 20, 1909....	B. 1362 ..	Mrs. Mary A. Scriver.

Annexed hereto is a sample of the letter of instructions sent to Mr. Clarry, in these matters, with a printed copy of instructions attached. A circular was sent to him and to the other agents having in charge claims for damages for drowned lands, in which they were informed that $20 and disbursements was considered a reasonable allowance for their services in each case, but that in case there were more than one lot, the title to which required to be examined, they would be allowed $10 for each additional lot. The letter of instructions is in these words:

January 29, 1909.

Trent Canal,
Michael Francis Lynch.
Sir,

I have the honour to inclose herewith copy of an order in council dated 22nd inst., authorizing the settlement of the claim presented by the above claimant for damages to his land by the waters of the Trent Canal; also the agreement from him to settle for $1,050, and I am to request you to investigate the title and obtain a deed of release from him if the title is satisfactory, the release to be for future as well as past damages. A copy of my printed instructions to agents is herewith inclosed for your information and guidance.

NATIONAL TRANSCONTINENTAL RAILWAY AND QUEBEC BRIDGE—VARIOUS EXPENDITURES.

Mr. LENNOX asked:

1. In connection with the Transcontinental Railway, eastern division, what amount has been paid or agreed to be paid to the Grand Trunk Pacific Railway Company for surveys?

2. What is the total amount outside of the amount paid the Grand Trunk, expended by the government for surveying and locating the line?

3. What is the total expenditure to date for engineers and other employees superintending, overseeing or having charge of the work of construction?

4. What is the total cost to date of and in connection with the office of the Commissioners, including rentals, supplies, salaries, &c., &c.?

5. What is the government's share of the total rent to date for terminal facilities at Winnipeg under arrangement with the Canadian Northern, and why should we incur this liability at all?

6. What was the actual cost to the country of the Quebec Bridge, if anything, before it was taken over from the company?

7. What amount did the government assume or pay when they took over the undertaking?

8. What was the total cost of the investigation into and in connection with the collapse of the Quebec Bridge?

9. What is the total cost of investigation, plans, specifications, advertisements, consultations, advice, expert and other services and preparations for rebuilding the Quebec Bridge?

10. What are the materials, structures, and works necessary for the completion of the railway, in a condition to be handed over to the company which are not included in the two contracts let; and what is the total estimated expenditure, not including anything for the Quebec Bridge, required to cover these items?

11. What amounts will be required to cover each of the classes of expenditure referred to in paragraph 10, and how much has been incurred or expended to date under each heading?

Hon. GEO. P. GRAHAM. This is very lengthy and very intricate, and it will probably take some weeks to get the information asked for. I would ask that this be allowed to stand as a notice of motion.

Mr. SPEAKER. Stand as notice of motion for a return.

TRADE NEGOTIATIONS WITH THE UNITED STATES.

Mr. A. C. BOYCE. I desire to ask the government whether the report in the New York 'Sun' of March 27 last, a few lines of which I will read, is substantially correct with regard to the negotiations between the President of the United States and the Dominion of Canada on the subject of the arrangement of tariff duties:

Through Dr. James B. Macdonald, editor of the Toronto 'Globe,' the President arranged for the Albany conference with Mr. Fielding, and by his diplomatic tact with the latter he has been able to obtain sufficient concessions to justify him in declaring that Canada is not unduly discriminatory.

I would ask the right hon. leader of the government to state whether that report is substantially correct?

Mr. FIELDING. There are several thoughts in the quotation. What particular point of my hon. friend's question——

Mr. BOYCE. I will read the quotation again.

Mr. FIELDING. I do not want to answer as to words but as to substance. If the hon. gentleman will state——

Mr. BOYCE. I ask whether this statement is true, that through the editor of the Toronto 'Globe' the President arranged for the Albany conference with Mr. Fielding?

Mr. FIELDING. I would not say that it is true, but there is a foundation of truth for it. Mr. Macdonald was in Washington, as any other visitor might be, obtaining impressions as to the situation. On his return to Canada, he mentioned, in the course of conversation with the Prime Minister and myself, that the American government would like to resume negotiations with the Canadian government, and, if there was an assurance that the Canadian government would be willing to meet them, he thought an invitation would be sent. We said that we would be happy to resume negotiations at any time upon the invitation of the proper authority. Thereupon, the President sent me a telegram expressing his desire to meet me at Albany and expressing also regret that the Prime Minister was not able to be present. That is the whole story.

Mr. BOYCE. Was Mr. Macdonald sent to Washington to——

Mr. FIELDING. No. We had no knowledge of his movements at Washington. He was there as a private citizen, or as a journalist.

INQUIRIES FOR RETURNS.

Mr. W. H. SHARPE. I would ask the Postmaster General (Mr. Lemieux) when I may expect the return asked for on February 2nd last in connection with the Wingate post office, Manitoba?

Mr. LEMIEUX. I will inquire immediately after the adjournment.

Mr. CROCKET. I would remind the Minister of Public Works (Mr. Pugsley) of an order of the House passed for a return of vouchers in connection with the St. John river survey. I would like to have that return before the close of the session.

Mr. PUGSLEY. I am inclined to think that return is ready. I had it under consideration a few days ago. I will make inquiries, and I feel sure I can have it brought down almost immediately.

On the orders of the day being called.

THE BOUT DE L'ILE BRIDGE.

Mr. P. A. SEGUIN (L'Assomption). (Translation). Mr. Speaker, before the orders of the day are called, I may be permitted to call the attention of the government, and particularly that of the hon. Minister of Railways (Mr. Graham) upon a question of the utmost importance to the county of L'Assomption which I have the honour of representing, and to the other counties in my district. This matter also interests largely the city of Montreal.

By 63 and 64, Victoria, chapter 8, subsection 33, the government of this country granted in 1900 a subsidy of $150,000 to the Chateauguay and Northern Railway Company in the following terms:

To the Chateauguay and Northern Railway Company, for a single track standard railway bridge, with two roadways 10 feet wide, for free vehicular and foot passenger traffic, the same as upon a public highway, from Bout de L'Isle to Charlemagne, at the junction of the Ottawa and St. Lawrence rivers, $150,000.

I have no doubt that this subsidy has been paid to the company, but I do not know whether the latter have fulfilled the conditions upon which this subsidy has been granted.

Instead of constructing a single bridge connecting Bout de L'Isle to Charlemagne,

the said company, making use of an island—the Bourbon island—which was in the middle of the river, has erected two bridges, one from Bout de Isle to the southern shore of Bourbon island and the other from the northern shore of Bourbon island to Charlemagne.

The distance is twenty-five to thirty French acres which one has to travel in order to cross that intervening island has never been provided with a suitable road so as to permit the passage from one point to the other, and the numerous farmers conveying their farm produce to the city of Montreal and the travelling public in general have been obliged to travel that distance before any work had been done to put that road in order. The result was unavoidable; that low and marshy ground was turned into a rut almost uninterrupted and often exasperatingly deep. In spite of repeated representations from all quarters, it has been impossible so far to have this unfortunate grievance redressed. The Montreal newspaper, especially 'La Patrie,' as late as last week, in an editorial, demonstrated the inconveniences to which the traveling public of Montreal and of the rural constituencies were subjected to on account of that altogether impassable road. Here is what 'La Patrie' of the 26th March said:

The Bout de l'Ile Bridge.

La 'Patrie' has already called the attention of the federal authorities upon the impassable and dangerous state of the approaches to the Bout de l'Ile bridge.

Thaw has set in. Loaded or pleasure vehicles, wagons, automobiles, etc., going from Bout de l'Ile to Charlemagne, or in the opposite direction, are in danger of getting stalled or of breaking to pieces in the deep ruts at the two ends of the bridge. It is almost impossible to pass there. And such is the situation since the bridge has been open to the public.

Upon whom rests the responsibility of making the necessary repairs? Is it upon the Railways department or upon the Canadian Northern Company?

However it may be, it is really disgraceful to leave an important road as this in such a state of rack and ruin.

We do not know whether the contractors were bound to complete the embankment so as to facilitate the entrance to the bridge, or whether the government inspectors have reported. But it is incumbent upon the federal authorities to complete or have completed without delay that which has too long remained unfinished.

The member from L'Assumption shall undoubtedly renew his representations to the government at the re-opening of parliament.

The members of the city and the island of Montreal shall join with him to put a stop to that intolerable situation.

Every summer thousands of vehicles and automobiles cross the Bout de l'Ile bridge. If the approaches are not soon repaired, accidents will surely happen, entailing probably loss of life.

We instantly request the government to send an inspector there and to have the necessary repairs made.

Last year, to prevent circulation from being altogether interrupted at that place which had become dangerous, some people clubbed together in making ameliorations, and I had to put up some money myself towards that and the work we have done has been rather temporary, did not give a very passable road but rendered it less perilous.

And now that road is almost impassable. I think it is incumbent upon the government, who have granted leave to use that island instead of building a bridge over it, to relieve the travelling public which is suffering so much from that situation. Therefore. I humbly suggest to the hon. Minister of Railways that it is high time that redress be given to the thousands and thousands of people using that bridge, and that within the shortest delay an inspection and a report be made if need be, in order to fix the responsibilities of the subsidized company and to have it fulfilling its obligations.

Thus justice will be rendered to my constituents.

Mr. C. A. WILSON. (Laval). (Translation). Mr. Speaker, I would like to add a few words to the remarks of the hon. member for L'Assomption.

Mr. SPEAKER. I must observe to the hon. member that I cannot allow the discussion to go on upon this question at this moment. I have allowed the hon. member for L'Assomption to state his grievances as a question of privilege, but a discussion upon these grievances would be out of order.

Mr. WILSON. (Translation. If I am out of order, Mr. Speaker, I will take my seat. I intended only to endorse the remarks of the member for L'Assomption, and I would have done so with great pleasure, because a great many of my constituents are interested in the remedying of this grievance.

Mr. GRAHAM. I regret that I am not able to answer the hon. gentleman in the language he has used, but I may surprise the House some day by undertaking to do that. In the meantime, I think it will be sufficient to assure my hon. friend from L'Assomption (Mr. Seguin) and my hon. friend from Laval (Mr. Wilson) that I am glad they have brought this matter up. As I understand the remarks of the hon. member for L'Assomption, a grant of $150,000 was made for the construction of that bridge. There is an island in the centre of the river, and the bridge really developed into two bridges, using the island as a means of communication between these two bridges. The complaint made is that the

roadway on this island connecting these two bridges is in a very bad condition, and the people complained bitterly. I will take the matter up, and if there is anything possible I can do to straighten it out and have this road put in proper shape I will certainly do so.

WAYS AND MEANS—INTERIM SUPPLY BILL.

Mr. FIELDING moved that the House go into Committee of the Whole on Ways and Means. He said: We have on the order paper now a motion for Ways and Means in connection with the American tariff arrangements, but the debate on that motion was adjourned. I wish it to be understood that that motion will be restored, so that the matter will stand in exactly the same position. I now propose that the House should go into Ways and Means, but we do not propose to take up the American question. Then the former motion will stand again for Ways and Means, and when that motion is renewed, the question of tariff arrangements will be considered. The only point is whether I have the right to move an adjournment.

Mr. R. L. BORDEN. We can easily regulate the matter, but it had better be done in accordance with the rules of the House. The motion which was called by Mr. Speaker was for resuming the adjourned debate on the motion to go into Ways and Means, under which, of course, the debate would be resumed. The minister desires, as a matter of convenience, that we should not resume the debate at the present moment, but that we should go into Committee of Ways and Means for the purpose of dealing with another matter. That can be done provided it is understood that we shall have a motion to go into Committee of Ways and Means for the purpose of resuming the former debate, and that the former debate should go on exactly in the same way as if it were an adjourned debate.

Mr. FIELDING. Quite so; that is my proposal, that the matter shall stand exactly as it is for the present as respects the tariff debate.

Mr. R. L. BORDEN. I mean as to the rights of speaking.

Mr. FIELDING. Quite so. Those who have spoken already on the matter have exhausted their rights.

Motion agreed to, and House went into committee.

Mr. FIELDING. We are dealing now with the balance of the supplementary estimates for the year 1909-10, which expired a few days ago. I may remind the House that we dealt with a portion of these estimates several weeks ago, and ultimately, following the usual proceeding, a Supply Bill was passed and assented to. But there was a portion of those estimates which, although voted by the House, was not taken in the form of a Supply Bill. The House had dealt with them in Committee of the Whole, but it is necessary that they should be put into a Supply Bill. But it will be inconvenient to wait until the close of the session for that purpose, as it is desirable that the business of the year be closed up as quickly as possible. The present proceeding is that we now pass a Supply Bill covering the balance of the estimates for the year which has just closed. These various votes have been gathered in the usual way by the clerks, and the amount of them is expressed in the resolution which I now beg to move:

Resolved, that towards making good a supply to be granted to His Majesty on account of certain expenses of the public service for the fiscal year ending March, 31, 1910, the sum of $1,646,350.28 be granted out of the Consolidated Revenue Fund of Canada.

Motion agreed to, resolution reported, read the second time and agreed to.

Mr. FIELDING moved for leave to introduce Bill (No. 196) for granting to His Majesty a certain sum of money for the public service for the financial year ending March 31, 1910.

Motion agreed to, Bill read the first and second time, considered in committee, reported, read the third time and passed.

PROCEDURE.

Mr. FIELDING. In connection with the understanding we had a while ago, I move that at its next sitting, the House again resolve itself into Committee of Ways and Means, and that it be taken that the debate stands adjourned. I would like the clerk to record it as an adjourned debate, so that the matter may stand exactly as it was before.

Motion agreed to.

RACE TRACK GAMBLING.

Sir WILFRID LAURIER. Mr. Speaker, early in the session a Bill was introduced by the hon. member for South Grey (Mr. Miller) which is Bill (No. 6) on the Order Paper, to amend the Criminal Code so as to prohibit betting on race tracks. That Bill was referred to a special committee which has given it a great deal of attention and has now made a report. The Bill has excited a good deal of public interest and I now move, with the object of disposing of the matter, that item 39 on the order paper be now called.

Mr. SPEAKER called Order 39:

House in committee on Bill (No. 6), an Act to amend the Criminal Code (reported from Special Committee as amended).—Mr. Miller.

Mr. W. F. MACLEAN. Is there any understanding as to what length of time the House will give to this Bill?

Sir WILFRID LAURIER. I am not aware there is any understanding. Reasonable time must be given for the consideration of this Bill like all other Bills.

Mr. R. L. BORDEN. Is there any proposal that the government should deal in a similar way with a number of important items which appear on the Public Bills and Orders. Has the government taken them into consideration?

Sir WILFRID LAURIER. No. When this Bill was read a second time, I gave an assurance to the House that an opportunity would be given during the session to have the matter dealt with.

Mr. MILLER. I move that the report of the special committee appointed to consider Bill (No. 6) be now adopted.

Mr. R. L. BORDEN. I think the usual procedure is for the House to go into Committee of the Whole.

Sir WILFRID LAURIER. I have looked for precedents in this matter and I have not been able to find any, although I am quite sure there must be some. When this Bill was read a second time instead of it being referred to a Committee of the Whole it was referred to a special committee. Had it been referred to a Committee of the Whole, and had that committee reported, the question is put by the Speaker: Shall the report be concurred in; and then it is open to any member of the House to move either that it be concurred in or that it be referred back to the Committee of the Whole for the purpose of amending it. True, we have not a report of the Committee of the Whole, but we have a report of the special committee, and I should think that the motion of my hon. friend (Mr. Miller) would be that this report of the committee be concurred in, just the same as if it were a report of the Committee of the Whole.

Mr. R. L. BORDEN. When private Bills are referred to a special committee, and when that committee has reported, they come back again to the Committee of the Whole House. Even government measures have been dealt with in that way. I did not know that the point would come up, and hence I have not looked into it, but I never knew of a case in which the report of the special committee was deemed to be an equivalent, or that it should supersede discussion in Committee of the Whole. I should think that this Bill must in some way get before the Committee of the Whole House.

Mr. LANCASTER. I agree with the leader of the opposition as to the procedure. Over and over again amendments to the Railway Act have been referred to special committees, but when that special committee reported, the Bills always came back to the Committee of the Whole House. The reference to the special committee has technically no legal effect on this Bill. True, when a private Bill is referred to a special committee, by the rules of the House the special committee may pass or reject the Bill, but a public Bill must always come back to Committee of the Whole House. In fact, the order paper says: that the House go into committee on the Bill, and I submit that is the proper course. The opinion of the special committee may be used for what it is worth in the House, but this Bill being a public Bill the reference to the special committee is merely a cul de sac; it is a lane that it goes down by which it must come back to the House for consideration in Committee of the Whole. The only regular course is for the hon. gentleman (Mr. Miller) to move that the House go into Committee of the Whole House on the Bill.

Mr. R. L. BORDEN. I call the attention of the Prime Minister to the fact that Order 39 reads:

House in committee on Bill (No. 6), an Act to amend the Criminal Code (reported from Special Committee as amended).

Sir WILFRID LAURIER. That settles it.

Mr. R. L. BORDEN. The Lord's Day Act went to a special committee in the same way as this Bill, and when the report was made the Bill was considered in Committee of the Whole House.

Sir WILFRID LAURIER. My hon. friend (Mr. Miller) had better move that the Bill be referred to Committee of the Whole.

Mr. SPEAKER. The hon. gentleman will have leave to withdraw his motion that the report of the special committee be adopted

Mr. MEDERIC MARTIN. He can withdraw the Bill.

Motion withdrawn.

Mr. MILLER moved that Mr. Speaker do now leave the chair for the House to go into Committee of the Whole on Bill (No. 6) to amend the Criminal Code (reported from special committee as amended). He said: Mr. Speaker, I am very pleased that the Bill was referred to a special committee, because that committee has been

able to take a great deal of evidence, which I am sure most members have read, and which tends to prove the great extent of the evil which the Bill is desired to counteract and prohibit. The question under discussion has been very much narrowed in its scope. I refer hon. gentlemen to the report of the committee for the following citation, and I may say that Mr. McCarthy referred to there was one of the solicitors employed by the opponents of the Bill:

Mr. McCOLL. Do I understand that you are willing to co-operate with the promoters of the Bill, with the committee, in abolishing all the evils, if any, that result from hand-book betting, the operations of pool rooms and the sending out of information by telegraph or otherwise.

Mr. McCARTHY. Absolutely. We do not hope to carry on hand-book betting, or giving information to pool rooms.

Mr. McCOLL. All you wish to protect is——

Mr. McCARTHY. Is betting on the race track while the races are in operation.

Then the whole point of the discussion narrows itself down to that particular point—all that the opponents of the Bill desire is betting on the race tracks of a duly licensed association and during the meet. We may well ask ourselves why it is that the opponents of the Bill are willing that the scope of the discussion shall be so limited. In the first place, the professional gambling on the race track during the meet is the only thing that brings any revenue to the association, and, therefore, while the opponents of the Bill say they are willing to give up every thing but that, they are very much in the position of Mark Twain who was willing to sacrifice all his wife's relations. I desire to ask you, Mr. Speaker, whether or not it does not appear to any reasonable, to any sensible, unprejudiced, unbiased man to be rather an absurd thing that while we by our Criminal Code, without any objection from any quarter, make the business of gambling a crime, we shall make an exception of the business of gambling on the race tracks. What good reason can there be why that which is wrong on the street or on a lot adjoining the race track should be perfectly proper and within the law when it takes place on a race track. I do not know what virtue there is in the atmosphere or in the soil or the surroundings of a race track that there makes right that which is pronounced to be wrong in every other place. The opponents of the Bill have laid down three prime, main objections. First, that the thoroughbred horse is necessary to the breeding of good horses; second, that racing is necessary to maintain the thoroughbred; third, that professional betting is necessary in order to maintain racing, and, fourth, (incidentally) that horse racing is the sport of kings and ought not to be interferred with or prohibited. We largely admit the first statement, that the thoroughbred is necessary or of advantage in the breeding of many kinds of horses. But, the second statement, that racing is necessary to maintain the thoroughbred, we will not admit, although it is admitted that the race track is one of the means that is found useful in the development of the thoroughbred horse. The third statement that professional betting is necessary to maintain racing we absolutely deny and refuse to admit. To the fourth allegation, that horse racing is the sport of kings and should not be prevented, we say it has never been the desire or intention of the promoters of the Bill to interfere with horse racing, and we do not think that the Bill, if carried into effect, will do away with horse racing. Again, as to the first statement—and I dwell upon that for a few minutes because it has been made a very strong argument by the opponents of the Bill—let me say that the thoroughbred horse is never used for the improvement of any of the breeds of draft horses. Dr. Rutherford, the Dominion veterinary, who was examined before the committee as a witness in opposition to the Bill, stated in his evidence that the thoroughbred horse was not being used, so far as he knew, by any breeder of standard-bred horses, or by any breeder of hackney horses, either in the United States or Canada. If, then, it is admitted, as it is, even by the opponents of the Bill, that the thoroughbred horse is not used for the improvement of any of the breeds of draft horses, the standard-bred horse or the hackney horse, then surely the class of horses for which it is important to use the thoroughbred is a comparatively small and unimportant class. The evidence, then, of witnesses who came to oppose the Bill, goes to show that the race-track has been the means of lessening the value of the standard-bred horse. Dr. Rutherford, being asked as to that, said:

Men having speed mares have brought them to the fastest stallion they could get without paying any attention whatever to the maintaining of the constitution, the conformation and the general symmetry of the horse.

Another gentleman who gave evidence before the committee in opposition to the Bill was Dr. McEachern, the eminent veterinary surgeon of Montreal. He gave the following evidence:

Q. In breeding the standard bred for extreme speed have they not suffered in other qualities?—A. I think so. There has been a great deal of harm done to the country by breeding from standard bred horses.

Q. Now what I want to ask is whether the same thing has been proved about the thoroughbred, that in breeding the thoroughbred for extreme speed there has been a loss of other good qualities?—A. That is so. It is well known in England that short races

have altered the character of the horses and there is a strong feeling in the United States and I know that the feeling exists in Canada that only heavy boned horses should be used for breeding and light boned horses should be eliminated, and it is quite proper. Speaking generally you are quite right.

When he says, 'speaking generally you are quite right', he admits that the race-track has been the cause of deteriorating rather than improving in many instances the thoroughbred horse. He was asked further:

Q. Do you think that the short races in Canada are a real test of proof of endurance on the part of the horses?—A. No.

Q. Then, if horse racing was to be the assistance to horse breeding here that it ought to be one would require to lengthen the races? —A. Yes, would have to breed as large and as heavy as you could get and lengthen the races.

Dr. Rutherford was asked this question:

Q. But talking recently to a man who seems to know a great deal about breeding horses, a lover of horses and a lover of sport, he said to me, and I thought he was very sensible in his remarks, that the present short races run on the running tracks of Canada are really no test or evidence of endurance upon the part of the horses engaged. What do you think about that?—A. That man is quite right.

Thus we have the testimony of the highest authorities in Canada that horse-racing has not improved and is not likely to improve either the standard-bred or the thoroughbred horse. The Hon. Mr. Fisher, Minister of Agriculture, was asked as to the necessity of the race-track, and particularly race-track gambling, to the improvement of the breed of horses. This is what he said—he was asked:

Q. Is it your idea that the race horse of England should be produced and refined as he has come to be, is not a useful horse?—A. He is useful for the purpose for which he is bred.

Q. You think for racing only?—A. Well, not altogether. There is no doubt that there are some of the race-horses, perhaps a considerable number of them, who have the bone and the muscle and the necessary formation to be good breeders for any purpose. But at the same time I have seen, I suppose, a dozen poor things, weeds, on the race courses in England—as I have seen in the few times I have visited the race course in Canada—for one that is any good for breeding purposes.

There is the evidence of the hon. Minister of Agriculture for Canada to the effect that there are on the race courses of both England and Canada a dozen poor horses for every one that would be likely to improve the breed for other purposes! The members of this House will remember very well Mr. Peter Christie, who was a respected member of the last parliament. We all know him as a practical farmer, whose opinions on matters relating to stock raising were of value, because he knew what he was talking about. Mr. Christie was a witness before this committee.

Mr. C. A. WILSON. Mr. Speaker, I rise to a point of order. I do not wish to interrupt my hon. friend in his able argument; but he is claiming some rights on behalf of people who are much interested in the passing of this Bill and is quoting from the evidence that was given before the Special Committee which has considered it. I have a copy of this evidence before me; it covers more than 500 pages. It has not been translated into French, and I know that a number of members of this House have not had the time or the opportunity to read all the evidence, and I am told that the great majority of the members have not read it. To speak for myself alone, I have not had the time to read even one page of that evidence, having been much occupied in the committee dealing with the Lumsden affair, where four of us have to do the work of seven, sitting morning, afternoon and night. Therefore, I am not at all prepared to give my opinion on this Bill or to take part in the discussion, and I would ask my hon. friend from Grey (Mr. Miller), in all fairness and justice—and I know he is moved by a great spirit of fairness and justice—not to proceed any further with his argument now, or until, according to the rule and custom of this parliament, in order to give full effect to the right of the minority in this House to the use of the French language, the evidence given before the Special Committee is translated into French, in accordance with section 133 of the British North America Act, which I have now the honour to invoke.

Mr. MILLER. I believe there is no rule of the House that says that the proceedings of the House must be printed in both languages. I know that there is a rule, No. 71, that says that no Bill shall receive its second reading until it has been printed in both languages. This Bill has received its second reading and has been printed in both French and English.

Mr. SPEAKER. The point of order, as I understand it, is that the consideration of this Bill cannot be proceeded with until the report of the Special Committee to which it was referred is translated into the French language. There is a custom here that reports of special committees may be made in either language, and on the day following their presentation they are printed in the Votes and Proceedings in both languages. Rule 71 says that all Bills shall be printed before the second

reading in the English and French language. Previous speakers have held that the point of order that a Bill has not been printed in both languages must be taken before the second reading, and that if it is not taken then it cannot be taken afterwards, and they have allowed then discussions to proceed upon a Bill printed only in one language. In the present case the Bill has been printed in both languages. I have looked in vain since confederation for a precedent to enable me to decide whether or not this Bill could be considered when the report of the Special Committee to which it has been referred has not been translated into both languages. I have found nothing since confederation bearing in that point. I have found a decision given by Mr. Speaker Turcotte, previous to confederation on the 19th of March, 1863, in which he held as follows:

> The adoption of a report of a committee respecting the employees of the House, having been moved by John Simpson, Esq., an objection was raised by H. L. Langevin, Esq., that the report was not printed in French, and distributed to members in that language. After a considerable discussion on the subject, the Speaker was understood to declare: 'that the report could not be considered at present, in consequence of the objection raised.' The subject then dropped.

It is true that section 133 of the British North America Act provides that members may speak in either French or English and that both those languages shall be used in the records and journals of this House. The Votes and Proceedings to-morrow will contain the French version of the report of the committee, but naturally without the evidence. Whether or not, it would be proper to stop all proceedings on this Bill now, is largely a matter for the House to decide. It would practically mean that this Bill could not be proceeded with this session. Under the circumstances, I am not prepared to take that stand, seeing that I have found no precedent since confederation bearing on the point of order. I will therefore, allow the debate to go on.

Mr. C. A. WILSON. It is not only a question of considering the Bill. My hon. friend from Grey had to withdraw his first motion. He then made the motion that the report of the Special Committee should now be brought before the House, and that the House should go into Committee of the Whole to examine the evidence. How can we be in a fair position to examine the evidence if it is not translated into French in accordance with the rules of the House and the British North America Act? I insist on my point of order.

Mr. SPEAKER. The only question before the Chair is: Shall the House go into committee on this Bill? The report of the Special Committee has not yet come up for consideration. It may come up afterwards.

Mr. C. A. WILSON. My hon. friend from Grey is quoting from the evidence.

Mr. SPEAKER. There is no objection to that, because even if the report were in French, he would have a right to use it in support of the motion he now makes. My decision is that the hon. member for South Grey (Mr. Miller) can proceed with his motion.

Mr. C. A. WILSON. I respectfully desire to appeal from your decision to the House. I move that the ruling of the Chair be not sustained.

House divided.

YEAS

Messieurs

Allen,	Major,
Arthurs,	Marcile (Bagot),
Barker,	Martin (Montreal,
Beattie,	Ste. Mary's),
Béland,	Mayrand,
Brown,	Meigs,
Campbell,	Michaud,
Carrier,	Nantel,
Congdon,	Papineau,
Crosby,	Paquet,
Currie (Simcoe),	Parent,
Delisle,	Porter,
Demers,	Price,
Doherty,	Rivet,
Ecrément,	Roy (Dorchester),
Ethier,	Roy (Montmagny),
Fortier,	Russell,
Geoffrion,	Sealey,
Gervais,	Seguin,
Haggart (Winnipeg),	Staples,
Harty,	Stewart,
Lachance,	Talbot,
Lafortune,	Turcotte (Nicolet),
Lancaster,	Turcotte (Quebec
Lanctot (Laprairie-	County),
Napierville),	Verville,
Lavergne,	Wilcox (Essex),
Lortie,	Wilson (Laval),
Macdonell,	Worthington.—55.

NAYS

Messieurs

Armstrong,	McCraney,
Aylesworth,	McGiverin,
Best,	McIntyre,
Black,	McKenzie,
Blain,	McLean (Huron),
Borden (Halifax),	McMillan,
Boyce,	Maddin,
Bradbury,	Magrath,
Bristol,	Marshall,
Carvell,	Martin (Regina),
Chisholm	Martin (Wellington),
(Antigonish),	Meighen,
Chisholm (Huron),	Middlebro,
Chisholm (Inverness),	Miller,
Clark (Red Deer),	Molloy,

Conmee,	Murphy,
Crocket,	Nesbitt,
Crothers,	Oliver,
Currie (Prince Edward),	Owen,
Donnelly,	Pardee,
Douglas,	Paterson,
Edwards,	Perley,
Elson,	Pickup,
Emmerson,	Proulx,
Fielding,	Prowse,
Fisher,	Pugsley,
Fowke,	Rankin,
Fraser,	Reid (Restigouche),
Girard,	Robb,
Graham,	Roche,
Guthrie,	Ross (Middlesex),
Henderson,	Rutan,
Herron,	Savoie,
Hodgins,	Schaffner,
Hughes,	Schell,
Hunt,	Sexsmith,
Jameson,	Sharpe (Lisgar),
Kidd,	Sifton,
King,	Smith (Middlesex),
Laurier (Sir Wilfrid),	Smith (Nanaimo),
Law,	Sperry,
LeBlanc,	Sproule,
Lemieux,	Stratton,
Lennox,	Taylor (Leeds),
Loggie,	Templeman,
Lovell,	Thoburn,
Maclean (York, S.),	Tolmie,
McCall,	Warburton,
McCoig,	Wilson (Lennox & Addington),
McColl,	Wright.—99.

Motion negatived.

Mr. MILLER. Before the interruption which has occurred, I was reminding the House of the evidence of Mr. Peter Christie, who distinctly stated that the Bill, if passed, would not to any extent affect the interest of the Canadian farmer or stock breeder. At page 153 of the evidence will be found the statement of Senator Douglass, an experienced live-stock breeder of the western provinces. At page 430 will be found the evidence of Mr. Gunn, the vice-president of the Dominion Grange to the same effect. At page 443 is the statement of Mr. C. J. Smith, an experienced horse breeders are to the same effect.

Mr. LANCASTER. May I ask the hon. member a question? Would it not be fairer, and would it not be better, as a matter of policy in winning support for his Bill, to read as little as possible of this evidence, and to make his argument as much as possible independent of it. in view of the fact that hon. members here have stated that they cannot understand it, My mind is open on this matter, and I submit this point to the hon. gentleman.

Mr. MILLER. I have no objection to complying, as far as possible, with the request of the hon. member (Mr. Lancaster). I think, however, that wishing to be reasonable, we may all recognize the fact that there is not a member of this House but has been able to read the evidence, and all the evidence, in the form in which it is printed. I was saying that Mr. C. J. Smith, than whom, perhaps, no other man in Canada has had a greater experience of breeding racing horses, has stated emphatically that the thoroughbred horses of to-day are not better than those of thirty or thirty-five years ago, notwithstanding the racing that has taken place in Canada, and the race-track gambling, in the meantime. Major William Hendrie, in giving evidence, recalled the fact that his father raced horses and bred thoroughbred horses years ago, when there was no professional race-track gambling, and when no large purses were being offered. Now, I wish to quote the opinion of Mr. Albert Dyment, a former much respected member of this House. We know that Mr. Dyment is a prominent horse breeder, and that he takes a very laudable and proper interest in horse-racing. In order to show that the passing of this Bill would depreciate the value of race-horses, representing in the aggregate a very large sum of money, he mentioned that horses in the state of New York, for which $3,000, $6,000 and $10,000 apiece had been paid, after the passing of the Hughes law could have been purchased by him for from $100 to $300 each. The fact that the thoroughbred horse which is purchased at one-time for $10,000 is then offered for sale at $100 to $300 because of the passing of a Bill prohibiting race-track gambling, but permitting horse-racing, shows conclusively that there is no value in the thoroughbred horse as a means of improving the breeds of utility horses. It is conclusive proof that there is no value in the thoroughbred horse other than as a racing machine. If the farmers of the progressive state of New York believed otherwise, these horses would not be sold at any such prices. I wish to point out also that it is not the first object of the gentlemen in Canada who own thoroughbred horses and conduct the race-establishments of Ontario, and of Canada generally, to encourage the breeding of good horses in Canada. The question was asked Mr. Dyment: 'Where are your thoroughbred stables?' and his answer was that they were at Barrie. There was then the following question and answer:

Q. Have the farmers around that locality the privilege of using any of your thoroughbred sires at prices at which they can afford to use them on their ordinary animals?—A. No.

Here we have one of the leading breeders of thoroughbreds in Canada, one who maintains a stable of thoroughbreds, and he states that the sires they have in their stables are not kept for the use of the farmers of the neighbourhood in their live

stock enterprises, and that the farmers of the neighbourhood are not permitted to use these animals in that way. Therefore, the object is not the improvement of the breed of utility horses.

It is contended by the opponents of the Bill that this country ought to be willing to perpetuate race-track gambling in order that the improvement of the breed of horses should be carried on. Are we so philanthropic, as a Canadian people, that we will tax ourselves, or allow ourselves to be taxed, to encourage the breeding of good horses, not in Canada but in the United States? The evidence of Mr. Orpen, found at page 122, shows that not more than twenty or twenty-five per cent of the race-horses found on Canadian tracks are Canadian-owned horses. Therefore, whatever sacrifice we may make, whatever perpetuation we may permit of race-track gambling, it encourages the development of the thoroughbred, not in Canada so much as in the United States. Mr. Fraser, secretary of the Ontario Jockey Club, says, at page 135, that the Ontario Jockey Club and the Woodbine race-track are perpetuated as 'a highly social and sporting concern.' So, this has not to do with the breeding of horses or keeping up the supply of horses, but simply keeping up a social and sporting concern. In order that we may measure what the race-tracks of Canada have done in thirty-five years for the improvement of the breed of horses, let us take the evidence of Mr. Nelson, the sporting editor of the Toronto 'Globe,' who has, perhaps, as much knowledge of horse-racing and of horses as any other man in the Dominion. His evidence, as it appears at page 563, is as follows:

Q. I am told the net result of the last twenty-five years running races, thoroughbreds have been the reduction of the mile record by two seconds?—A. Oh, much more than that. The mile record is 1.35½ now, and I think twenty-five years ago it would be something like 1.40.

So, by the evidence of Mr. Nelson, this man who knows, the whole result of twenty-five years racing in Canada has been to lower the speed of the thoroughbred horse by 4½ seconds to the mile. But, as was pointed out by Mr. E. King Dodds, late editor of the 'Canadian Sportsman,' the reduction of 4½ seconds is not attributable to the breeding of the horses, but largely to the improvements of the tracks, the tracks of to-day being very much better and faster than were the tracks of twenty-five years ago. The most conclusive evidence that the horse-breeding industry does not depend to any extent upon the perpetuation of professional gambling is that afforded by the agricultural journals. Every farm paper of prominence in Canada has spoken editorially emphatically in favour of the Bill. The 'Farmer's Advocate,' the 'Canadian Farmer,' the 'Farm Journal,' the 'Nor'West Farmer' of Winnipeg—these and other agricultural journals have spoken emphatically in favour of the Bill, and not a single letter, I believe, has appeared in the columns of any agricultural paper from any subscriber or reader connected with the live stock industry in opposition to the Bill or to the editorials that have appeared in its favour in these papers. The superintendents and presidents of agricultural colleges have spoken in favour of the Bill; the farmers' institutes have passed resolutions in support of it; the Dominion Grange, at the head of which is Mr. E. C. Drury, son of the late Charles Drury, at one time Minister of Agriculture of Ontario, has spoken emphatically in favour of the Bill.

Sir, the question has been raised as to what Great Britain is going to do for army remounts if this Bill becomes law? It is said that without the thoroughbred horse and without the race-track and without race-track gambling, Great Britain cannot obtain her army horses. This argument was put as forcibly as possible by Mr. Ryan, of Montreal. I would refer to the evidence of Mr. S. Gammon, of Nova Scotia, at page 105 of the evidence. He stated that in Nova Scotia there is no book-making or professional race-track gambling. He stated also that, at the time of the Boer war, when Great Britain was purchasing horses, many hundreds of horses were sold in Nova Scotia to Great Britain to be sent to South Africa. I would like to call attention to an annual published by the 'Live Stock Journal,' of London, England, which is considered to be the most authoritative live stock journal published in Great Britain. The article I read from is entitled 'Horses for the army':

The army requirements in times of peace are only a little more than 2,000 horses annually, and therefore it is evident that it would never do for breeders to depend on this market alone.

The same article says:

There are many people adds Major Fife, who are under the impression that there are not horses in the country to meet our present peace supply, and in consequence our army is under-horsed. No greater nonsense was ever talked. There are more horses than enough at the present moment for all requirements, but we must look ahead, and therefore we should not be satisfied with this, and allow ourselves to be dependent on importations in time of peace which would be liable to be cut off in time of war.

Again the article proceeds:

Unfortunately the national horse supply is not sufficiently popular with either political party to enable public money to be spent on it to a sufficient extent. The only course open to the pioneers of the movement is to be perpetually calling attention to the matter with the object of getting a government

grant, for no good can possibly be done until horse breeding is subsidized by the treasurer.

Now there is a statement from a very reliable journal, that two or three centuries of the breeding of thoroughbreds in Britain, two or three centuries of racing in Britain, and many years of book-making in England, have not afforded England a proper supply of army horses, and that the only hope of the people in Britain, who are interested in this subject, is in government subsidies. They have race-tracks in France, they have professional race-track gambling in France, but they obtain their remounts and their army horses by direct subsidies and direct regulations of the French government, and not from race-courses, and they are not dependent on race-track gambling. I have stated that it is not the object of the promoters of this Bill in any way to interfere with racing, that is not the intention, not the purpose, and not the expectation. Dr. McEchern, of Montreal, made a statement before the committee that it was very possible, in his opinion, that if this Bill went into effect it would add to the quality of the attendance at the race-tracks, and would perhaps in the end increase rather than decrease the attendance. Mr. Hugh Paton, of Montreal, a prominent business man, and a prominent horseman, who has been racing horses for many years, stated to the committee that he had been raising and racing thoroughbred horses since 1875. Reminded that in 1875 no large purses were being paid and no book-makers operated, he said that in 1875 he raced his horses for the honour of the thing. When asked why, if people did that in 1875, they could not do it in 1910, his reply was that he would now let younger men engage in the sport. Mr. Peter Christie was of the opinion that the passing of this Bill would not at any rate do away with racing. Mr. Boyle, a son of Mr. Charles Boyle, late of the town of Woodstock, Ontario, who is a well known turf man, said that since 1865 his father had been racing and raising thoroughbred horses. Reminded that in 1865, and for long years after, there were no large purses paid, and no professional gambling, he admitted the fact, but said that they raced for smaller purses, and engaged in racing as they do to-day. If hon. members will refer to the Toronto 'Star' of the 3rd of February, they will see a programme of the racing associations for the state of New York for the year 1910, and they will find advertised there thirteen different meets that is, a meet on every one, I think, of the important racing tracks of the state of New York, to continue from 12 to 20 days at each meet; so racing in the state of New York does not appear to have been much interfered with by recent legislation in that state. I think that the House will admit that there is perhaps no greater authority in Canada on horse-racing and racing matters generally than Mr. E. King Dodds, who was, until less than two years ago the editor of the Canadian 'Sportsman' of Toronto. Mr. Dodds published a book in the latter part of 1909, entitled 'Canadian Turf Recollections and Other Sketches.' Without wearying the House by reading it at length, I might refer to what Mr. Dodds says on page 18 of his book:

> There are certain owners so closely mixed up with book-makers that grave suspicion attaches to the combination, and it is not going too far to say that their horses are often run in the interests of those which lay the odds. Much of the trouble is directly traceable to the fact that a low class of Jew gamblers have, during the past few years, invaded the ring and may now be said to practically control it. A liberal percentage of them are absolutely devoid of principle and act on the belief that their mission in life is to get money; make it honestly if they can, but make it anyhow.

There is the statement of Mr. Dodds, the editor of the Canadian 'Sportsman,' that betting on the Canadian tracks to-day is largely under the control of a class of Jew gamblers, whose motto is to make money, no matter whether they make it honestly or otherwise. Again on page 54 of the same book, Mr. Dodds says:

> Though much pleasure was taken out of racing in the days of yore there was not much profit. The almighty dollar was not appreciated then quite as much as it is at the present time. The sons of Israel had not swarmed upon the race-course trying to occupy every corner where a nimble dime could be made. Men went to the races not altogether to bet money, but to meet their friends and enjoy a pleasant time. The enjoyment was great, but the profits were small. The balance sheet at this Carleton Park meeting, after all expenses were paid, showed a profit of $79. Yet, strange to say, it was then considered as satisfactory when the income balanced the expenditure. Truly the times have changed. There is now a different class of owners and the present ones are nearly all out for the dollar.

Again Mr. Dodds says on page 115:

> There are some new-fledged turf men who pretend to believe that racing in Canada thirty or forty years ago was of no account. True, the tracks then were not as fast as now, neither were their furnishings as liberal, nor the purses as large in amount as those offered at the present day, but the charge for admission was small and the public then, as now, were liberal in their patronage. Prominent men from distant sections of the country used to foregather and there was more friendly intercourse and social enjoyment at those early meetings than at the present time, in a word, there was more pleasure and less business, more keen enjoyment of the racing through enthusiasm for the sport than for

the sake of the money that could be squeezed out of it.

There, then, is in the evidence of the editor of the only horse-racing paper published in Canada, that the racing thirty years ago in Canada was more sportsmanlike, and was carried on more with the object of sport and with less commercialism than it is to-day. It has been said that this Bill, if it becomes law, will take away the capital that men have invested in racing enterprises. Let me point out to you that the Hamilton Jockey Club was incorporated I think, in 1893, with a paid-up capital of $4,050. That company, after being ten years in the business, has now assets of $225,000. The Ontario Jockey Club which controls the Woodbine track in Toronto has a paid up capital of $10,000. They have been receiving an annual dividend of 10 per cent on their capital stock and they have to-day, with a paid up capital of $10,000, surplus assets of $337,846. Mr. Hendrie, of the Ontario Jockey Club, told of the sale of one $100 share at $1,000, and he said he did not know whether any more stock could now be purchased even at $3,000 a share. Therefore, if we take the Hamilton Jockey Club and the Ontario Jockey Club as examples we need not be very much afraid of interfering with or ruining established interests. If the Hamilton Jockey Club were to withdraw from the bank their cash surplus of $50,000, and assuming they could sell their real estate for the $50,000 it cost them without counting anything for the improvements they made on it, they would have $100,000 to divide among the men who put $4,050 into the enterprise, or, $2,500 for every $100 paid in. I want to point out that in the year 1909 the net profits of the Hamilton Jockey Club on a paid up capital of $4,050 were $70,000; and that the net profits in Toronto on a paid up capital of $10,000 were $66,778. I have been told that the passing of this Bill will injure the profits of men who have been investing large sums of money in raising horses. That may or it may not be true, but every day in our legislation for the public interest we are doing a similar thing. Parliament thought it was well to enact a law for the removal of the German surtax and certain merchants have complained that the doing away with the German surtax without notice was a loss to them, they having purchased their stocks in the expectation that the surtax would not be removed. Day after day we are passing legislation for the good of the whole people that inevitably must injuriously affect to some extent the interests of the few.

It may be asked: What after all are the evil results arising from professional race-track gambling; are they exaggerated and are they of the extent which has been alleged? I would like to point out to the House the evidence of Chief Grassett of the Toronto Police Force. Col. Grassett was summoned as a witness in opposition to the Bill, and I quote from his evidence:—

By the Chairman:

Q. And if the book-maker could be abolished and no other form of betting substituted, you think it would be a good thing?—A. I do.

Inspector Duncan in his evidence gave us 9, 10, or 11 cases of men who had been practically ruined from this cause in the years 1908 and 1909; in many cases they had lost their situations, they had lost their reputation, they had lost their property, their wives and children were reduced to want. And, on being asked whether these cases were the only ones to which he could point in the last two years, both he and Inspector Archibald said they could name 50 others if they had carefully examined the records of their office. Inspector Archibald heartily agreed with all that had been said by inspector Duncan and he added that nearly all of the cases mentioned had come within his own knowledge. Detective Sleeman, chief of the Brantford Police spoke of the great evils that came of race track gambling. Mr. Sinclair, a member of the committee asked him:—

Are you in favour of the prohibition of the book-maker altogether?

And the reply was:—

I am.

Mr. Carrington, chief of the Thiel Detective Agency of Montreal was brought before the committee by the opponents of the Bill. Mr. Carrington said he did not know of any instance where a man had been ruined by profesional race-track gambling, but being cross-questioned he said he had heard of hundreds of cases where men had said their ruin had been brought about by race-track gambling, but he did not believe the statements. On cross-examination the following took place:

Q. You say that in these hundreds of cases that you have learned about, one way or the other, you do not believe that betting on the horses was the sole cause of downfall of the men. Are you willing to say it was in many of those cases one of the causes of the downfall of the men, not in every case?—A. Oh, yes, because if a man is a gambler at heart that would be one of the forms in which the opportunity would present itself.

We have here a detective who was brought to give evidence in opposition to the Bill admitting that he had heard of hundreds of cases in which at least one cause of the downfall of the man was betting upon horses on the race-track.

Then; the Hon. Mr. Templeman gave evidence before the committee and read letters which he had received from prominent business men of the city of Victoria.

It has been said that the Bill before the House is a product of the preachers of Canada. I want to read just two short letters out of about twenty received by Mr. Templeman from business men of the city of Victoria. The first letter is from E. B. Marvin & Co., large ship chandlers, of Victoria, and it is addressed to Mr. Templeman, and reads:

Victoria, British Columbia,
December 31, 1909.

Sir,—We would strongly urge the passing of a Bill by the Dominion government which will stop gambling on race-courses.

The effect of the recent meeting in this city, at which a great deal of gambling was carried on, should convince any one that it does great harm to the community. Money is staked and lost, which should have gone to pay just debts, which injures the store-keeper and general business man. Besides this, the habit of gambling is most demoralizing for both men and women, and we feel sure a law against the practice of it will be a benefit to the community generally.

We are, Sir, yours obediently,
E. B. MARVIN & CO.

Another letter is from Moore and Whittington, contractors and builders, of the city of Victoria, and it reads:

Victoria, British Columbia,
December 30, 1909.

Dear Sir,—In response to your request as to our employers of labour for our experience and views in connection with the recent race meet held in the city, we must state emphatically that we believe it to be detrimental to the financial and moral interests of the city.

Some of the workmen left their work and neglected their families for the summer and attended the races regularly, others incurred heavy liabilities, other men were arranging to build homes, but lost their money at the track. When out collecting accounts it was a prominent excuse, 'I have not got the money, I lost it out at the races.'

We express the hope that race-meets, as we experienced them here, will be a thing of the past.

Yours respectfully,
(Sgd.) MOORE & WHITTINGTON.

Then, we had the evidence of Mr. Ralph Lawton, an insurance agent, of Toronto, who had lost his position, lost his money, and had been reduced to poverty by betting on the race-track. Then we had the lamentable case of Mr. Fred. Hart. Mr. Fred. Hart was a young man engaged in a trust company in the city of Vancouver, and during the very time this Bill was before the House it became the duty of the police magistrate of the city of Vancouver to sentence this young man to one year at hard labour in the common jail because of embezzlement which was the direct consequence of betting on the race-track in that city. In passing sentence the police magistrate said: 'This is a case where you have pleaded guilty to a serious charge, that of taking $1,000 when you were in a position of trust. I have considered your previous good character during the long number of years that you have been in similar positions of trust, and this is the first time you have fallen. I must consider the circumstances surrounding the case, this race-track gambling, and the temptation you were put to. It is unfortunate that the young men of our city should be subjected to such environment.' Perhaps it will be some comfort to this young man, Fred. Hart, to know in jail, that he was contributing to the improvement of the breed of thoroughbreds in Canada. Here was Mr. Hart, a young man who for years had been in a position of trust in Vancouver; he had never before taken a single copper that did not belong to him so far as we know, but is it any comfort for that young man to remember as he now serves twelve months in the Vancouver jail, that he was encouraging the breeding of good horses to a very great extent. I want to know if that young man's mother; I want to know if that young man's father; I want to know if the employers of that young man who had heretofore found him to be a man of principle and integrity; I want to know whether they do not think that it was at very very great cost indeed, that he encouraged the breeding of thoroughbred horses.

At one o'clock, House took recess.

House resumed at Three o'clock.

Mr. MILLER. Mr. Speaker, when the House rose at one o'clock, I was speaking of some of the evil effects of race-track gambling. I mentioned the case of Fred. Hart, a young man of Vancouver. I wish now to refer to the case of Thomas W. Batt, who gave evidence before the special committee. He was a young man who had gone from Newfoundland to Toronto some 13 years ago to engage in business as a butcher. He said that for the first three years that he had been in Toronto he had saved from his business an average of $1,000 a year. At the end of the three years he began betting with the book-makers on the track, with the result that in ten years he had lost all that he had saved in the three years, and had become from $1,500 to $2,000 worse off than nothing, while in the meantime his family had not been properly provided for. I know there has been some disposition on the part of the opponents of the Bill to ridicule the strong evidence given by Mr. Batt. On this point I quote the following from the Canadian 'Collier's' of March 5 last in reference to Mr. Batt and his evidence:

A Toronto butcher, who wishes his name suppressed, gave testimony before the Miller

Committee as to the evils of race-track gambling. Loud laughter greeted this man's homely, earnest protest. The idea of a butcher giving evidence! The idea of a butcher wanting his name kept out of the papers! Really, it was the drollest thing! Pray consider, too, the spectacle of a humble butcher and his little family being ruined by the thoroughbred 'merry-go-round.' Also ponder on the courage of the humble little butcher facing the inquisitorial knives of the lawyers at Ottawa, his only motive being to save others, if it might be, from the misfortunes that overtook him. After all, it is not funny. Our little butcher's testimony was a human document. He is one of the few witnesses who knows what he is talking about and knows that he knows.

This Thomas W. Batt gave evidence before the committee, not only as to his own practical ruin, financial and otherwise, from betting with the gamblers on the race-track, but he mentioned the names and addresses of 50 other persons who had lost their reputations, their position, and in some cases their liberty, through betting with professional gamblers on the track, and two of them had committed suicide. To give you an idea of how the race-track gambling habit fastens itself on some men, let me quote from Mr. Batt's evidence. He was asked:

Q. I thought you were following the races all the time?—A. I would be working all the forenoon, practically the afternoon, and at night I would come home and pluck chickens, and make lard, and work maybe until one or two o'clock in the morning and go to the register at night and take the money that came in and be down at the track the next day.

The habit was so fastened on this man that he toiled all night to make money to bet on the track on the following day. Mr. Monk, a member of the committee, asked certain questions of Mr. Batt, as follows:

Q. Have you talked with many of those men about the book-makers and this business?—A. Yes, I have talked to a lot of them. I was talking to some of them last night.
Q. What did they say?—A. They wished it was in hell.
Q. What?—A. The horse-racing business, the whole thing.
Q. The horse-racing would not hurt them if there was no book-making?—A. No.

Everybody agrees with Mr. Batt that horse-racing itself is all right—that the evil is not in the racing, but in the book-making. Inspector Archibald, in his evidence, stated that the Toronto Woodbine had been referred to as the university of gambling. This provoked some ridicule among those who heard him make the statement. But I would like to prove to you that the race-track is the university of gambling, from the lips of no less a personage than Mr. Colin Campbell, a member of the Montreal Jockey Club. The question was asked of him:

Q. I do not suppose you would say that everybody goes to a race-course goes with the determination to bet, would you?—A. No, a great majority of them do, though.
Q. Of course, those who have acquired the habit do?—A. Well, they may be acquiring it when they get there.

That answer is one full of meaning. Of the people who go to the race-track, perhaps a large number have not acquired the habit of gambling; but, as Mr. Campbell says, they may be acquiring it when they get there. Therefore, the name given to the Woodbine track by Inspector Archibald can scarcely be said to be a misnomer.

It was rather remarkable that so many witnesses spoke of the undesirable class of people who frequent the race-course. It was stated, in evidence, that the people who frequent the city of Toronto at the time of the Woodbine meet are very much more undesirable, as a rule, than those who frequent the city of Toronto at the time of the exhibition, when a much larger number of people are there. The Hon. Mr. Fisher spoke of the very undesirable element he saw in Vancouver at the time of the race meet there, saying that he would not consider it safe to be out at night with a good many of those people. Mr. Cowan, the member for Vancouver, spoke of the disreputable crowd of people he saw at Vancouver during the time of the races; and Mr. Barnard, the member for Victoria, spoke of the undersirable class of people he saw in Toronto during the time of the Woodbine meet, saying that such an undesirable crowd of people frequented the King Edward hotel, the leading hotel at Toronto, that ladies said they would not care to cross the rotunda of that hotel at the time. Mr. McColl, the member for Northumberland, pointed out the reason why this undesirable element followed the race-track. Mr. Blain was examining Mr. Sleeman:

Q. Would the undesirable element attend the races if there were no book-making?—A. No, I do not think they would.
Mr. McCOLL. Because the exposure of money gives them a great opportunity to snatch money and tickets, and pick pockets.

There may be members in this House, I trust their number is not large, who say: 'I do not care about the moral or immoral effect of race meets; that is nothing to me; if a man is strong, he ought to be able to take care of himself, and if he is weak, he might as well fall with the race-track gambler as in any other way.' To men who take that uncharitable position the economic argument in the case may appeal. There are men opposing this Bill who oppose every kind of trust, trade combination and monopoly, on the ground that they take money unjustly out of the pockets of the people. Let me point out to these gentleman that these race-track associa-

tions and these professional race-track gamblers are every year taking a very large amount of money out of the pockets of the Canadian people for which they give no value at all. Mr. E. King Dodds has said over and over again, in his book recently published, that these men who take away the money of our people in large sums are not Canadians, but foreigners, mostly Jews. Let us try to estimate what amount is lost to the Canadian people from the fact that in the year 1909 the book-makers paid for the betting privilege on the Hamilton race-track, $74,800, on the Woodbine track in Toronto, $67,700, and on the Blue Bonnet race-track in Montreal, $76,650; a total of $219,150. These figures do not include the money paid by the book-makers for book-making privileges on the Canadian tracks at Windsor, Dufferin, Fort Erie, Vancouver, Victoria and a few others which hold meets throughout the Dominion. We may, therefore, be well within the mark when we say that the book-makers paid in 1909 for betting privileges in Canada over half a million dollars. In addition, each book-maker, according to the evidence of Mr. Orpen, on page 118, employs five assistants, to whom he pays $10 per day.

Referring to the evidence of Mr. Fraser, page 132, secretary of the Ontario Jockey Club, I find that on the Woodbine track the book-makers average 50 in number per day. Each of these has to pay five assistants at $10 per day. In addition there are the expenses of the book-makers and the large profits made by them out of the betting public, so that the whole tax on the Canadian public is probably $2,000,000 in twelve months. By whom is that paid? Mr. Nelson, sporting editor of the Toronto 'Globe,' says, at page 564 of the evidence, that it is paid by the betting public. Mr. Blain asked him if he thought that was not as good a way to raise the money as the present system. Mr. Blain was referring to the English practice. Mr. Nelson replied:

I think the money is still raised from that portion of the public who bet in either case; the book-maker is only a collector, that portion of the public who bet put up their money to-day, whether they call it book-making, the Paris mutual or auction pool-selling. The money comes from the public who want to bet, and those who do not want to bet do not have to contribute.

Therefore, according to the evidence of Mr. Nelson—and it appeals to the common sense of every man—all the expenses of the book-maker and all of their profit come out of the Canadian public.

Mr. W. F. MACLEAN. Out of the betting public.

Mr. MILLER. Out of those who bet. My hon. friend from South York (Mr. Maclean) and many others are laudably engaged in protecting, not all Canadian citizens, but those who do business, from having their money taken away by monoplies, and it seems to me that they should be ready to extend the same protection to those who have their money filched from them by the book-makers. The opponents of this Bill are quite willing to do away with the hand-book men up town and pool-rooms, which bring no revenue to the racing associations, but they want book-makers to be allowed on the tracks. Inspector Duncan, at page 204, gives evidence as follows:

Q. Has the individual betting on the race track amounted to anything?—A. I do not think it has.

Q. Can you give us any better reason for cutting out by legislation the hand-book man up town than the book-maker on the track. Is one worse than the other, or are they in the same class?—A. They are pretty much in the same class, I would say.

Q. You can see no particular difference?—A. No, if it is right to bet down at the Woodbine, I would say, give then the right to bet up town, that is if you are going to allow it at all.

Inspector Duncan took the logical position that if it be a crime to bet up town, it must be equally a crime to bet with a book-maker on the race-track. Inspector Archibald gave evidence, page 217:

From that standpoint I think these places are worse in that respect than the Woodbine. But, if you want my opinion as to whether the Woodbine, as a place for betting on horse races, in contrast with those places, is the more dangerous, I say by all means the Woodbine.

They are worse in as much as the hand-books are in operation all the year and the book-makers on the track only during the meeting. He added:

But if you want my opinion as to whether the Woodbine, as a place for betting on horse races, in contrast with those places, is the more dangerous, I say by all means the Woodbine.

Again Inspector Archibald said:

But there is an expenditure of tens of thousands of dollars at the track in place of that many cents in the city.

Q. The evil is greater in the Woodbine, you mean?—A. Yes.

Inspector Archibald was asked this question:

Not referring alone to those particular cases cited by detective Duncan, but the class of cases that come before your notice, would you say the larger number of them arise from betting on the race-track, or does a larger proportion of them come from betting with the hand-book men up town?—A. By long odds the larger proportion from the Woodbine; no question about that.

Mr. Batt gave his evidence as to the comparative evils resulting from the betting on the tracks and the hand-book men up town:

Q. Now as to making a comparison between the harm that comes or that follows from betting with the book-makers and the harm that comes from the practice of betting with the hand-book men, which do you consider the greatest evil, which brings the worse results?—A. Betting with the hand-book or on the track?

Q. Yes, which ruins the most men?—A. The track.

Q. There is no doubt at all of that in your mind?—A. I know it, yes, because a man will go to the hand-book and will bet $5 or 50 cents or $2 and that is all he will bet that day. A man will go to the track and will take $300 or $200 or $500 with him, and he will loose every cent he has got if he happens to strike a bad day, but when betting with the hand-book he bets that much and then stops there, but it is the race-track that gets the bunch of them.

Q. Take the man who follows the races, who bets on the horses, does he usually begin by betting with the book-maker on the track or betting with the hand-book man up town; where does he usually begin his betting career?—A. Usually at the track he starts.

Q. You have no doubt as to that?—A. No, sir.

Again he said:

Q. The large number of persons you have spoken of as having ruined themselves, as having suffered the loss of their business and so on, would they in your opinion have suffered those losses and ruined their lives to the extent they did, had it not been for the book-maker?—A. No, I don't think they would have. No, they would not. They lost it on the track practically.

Again speaking of the comparatively greater evils resulting from betting on the track, he said:

A man goes to the track, he takes his wad down with him, and if he loses $10 on the first race he tries to make it up on the next race, and if he loses it on the second race he tries to make it up again on the third, and before he goes back he is broke. But on the hand-book they aint got that chance to do it.

There we have the evidence of Detective Duncan and Inspector Archibald and this man Batt, who has had great experience on the race-track, and their evidence is to the effect that the evil resulting from book-making on the track is infinitely greater than what results from the hand-book men up town. I was talking to one of the leading criminal lawyers in Toronto, and he told me that whatever knowledge he had gained of race-track betting was from his defending criminals in Toronto, and he told me that if I could get this legislation on the statute-book, I would accomplish a great deal of good. Can any one doubt that young men do not learn to bet and become addicted to betting on horse-racing with the hand-book men up town, but with the book-makers on the track? I have always known it to be the case that the opponents of a Bill, when they cannot meet the argument squarely; when they cannot defeat the measure on its merits, will say that it does not go far enough, that there are loop holes in it, and that it will not have the results intended. And so, they say, if this Bill becomes law, there will be the private bettor in disguise. Mr. Orpen, giving his evidence, said—page 123—that the interpretation the courts had given to the present law, that the book-keeper must keep moving about, has so injured the business of the book-maker that he himself has gone out of the business and that it is impossible to carry on the business with anything like the profit that was possible before that interpretation was placed on the law. I argue that if the present interpretation of the existing law has driven Mr. Orpen as a book-maker out of the business there would be no possibility at all of the book-maker plying his calling as a disguised private bettor under this measure. Inspector Duncan was asked questions as reported at pages 203-4:

In most of the cases that you have spoken of, and most of the cases that have come to your knowledge, have most of them been the result of betting with book-makers, or have they been the result of private bets?—A. With the book-maker on the race-track or the hand-book man up town.

Q. In almost every instance that has been the case?—A. Yes.

And Detective Sleeman—page 377:

Q. Do not let us quarrel or quibble. If you do away with the book-maker, and there must be betting, with whom is the man going to bet?—A. I do not think we will have very much betting if the book-maker is done away with.

That is the evidence of an experienced detective of the highest standing. I want to give the House now the opinion of Mr. Counsell, one of the solicitors who appeared in opposition to the Bill, a gentleman of high standing at the bar in the city of Hamilton, Ontario. And I desire to say that I agree with what appears to be his opinion. He said in questioning Mr. Batt:

Q. There is just one question I want to ask about betting by individuals; there is very little betting by individuals on the race-track, is there?—A. A man that wants to bet bets with the book-maker, there is practically no individual betting at the race-track.

Q. The betting is done with the book-maker?—A. Yes, it is with the book-maker.

And now he says—and it is in this that I agree with him:

Q. You and I cannot make a bet very well without the book-maker at a horse race?—A. Not very well, no.

I agree with Mr. Counsell and Mr. Batt, from the knowledge I have been able to obtain, that if you take away the book-maker you take away largely the possibility of extensive betting. Mr. C. J. Smith also gave evidence. I may explain that Mr. C. J. Smith is a son of the late joint proprietor in the partnership of Cooper & Smith, wholesale boot and shoe dealers, of Toronto. Mr. Smith stated that he had had large experience as a breeder of race-horses, and as a racing man. His evidence, as it appears at page 451 is as follows:

Q. If a law were passed in Canada to prevent book-making, with that object in view, and if that law were enforced to its full extent as it could reasonably be enforced, could there be any extensive amount of betting going on, on the track with book-makers in disguise who were endeavouring to evade the law?—A. No.

Q. It could not be, it would not be possible?—A. No, no doubt there would be a limited amount, but it would be very small.

Q. Take, for instance, a bank clerk, who was attracted to the race-track through his love of excitement or his love perhaps for horses, would these book-makers in disguise who were endeavouring to evade the law offer to that young man the same temptation to bet on the races as is now offered by book-makers carrying on their business openly?—A. I do not think so, I do not see how it could.

Mr. Penderton was a witness subpœnaed to give evidence in opposition to the Bill. He is, I understand, a detective of large experience, and head of the Thiel Detective Agency of Montreal, an agency well known throughout the United States and Canada. Mr. Meredith asked him:

Q. In your experience at present the average person that bets on the race-course today, does he bet with individuals, or doesn't he bet with the book-makers in preference to betting with the individual?—A. He bets with the book-maker in preference.

Q. If those book-makers are done away with the parties he will bet with will be the individuals?—A. I do not know who he will bet with and he will find that he does not know either, when he wins.

He, in effect, said that if the professional bettor were there in disguise as a private individual still endeavouring to carry on his business as a book-maker, he would not be there to pay a debt when he lost. How long will men continue to bet with those whom they do not know, and whom they cannot find when they come to claim the payment of a bet?

Another proposition has been made and argued for very earnestly, and that is that we should pass legislation allowing betting with the book-maker on the race-course during the meet, but shortening the length of the meet, confining it, perhaps, to ten or twelve days. In the first place, I desire to read to the House the opinion of the Minister of Justice given in a letter to myself as chairman of the committee, as follows:

Ottawa, February 5, 1910.

Dear Mr. Miller,—I have your letter of the 2nd instant, asking whether the Dominion Parliament has any authority to restrict, or limit, the length of a racing meeting on the tracks of an association incorporated by a provincial legislature.

I think the rational way of regulating such a subject would be by action on the part of the provincial authorities. Such a question seems to me properly a matter of police supervision, and in that view within the jurisdiction of the local authorities. There is nothing I can see to prevent any provincial legislature from requiring licenses to be obtained for the holding of race-track meetings. Under such licenses, they could regulate the days and times that racing could be carried on, charging such license fee as they saw fit. The Dominion parliament has no such jurisdiction, and the only way in which the Dominion parliament could deal with the subject is by undertaking to make it a crime to continue a race-track meeting for more than some given number of days.

I do not question the power of the Dominion parliament to legislate in that manner, but it would certainly seem to me entirely illogical to do so. It would be an equivalent to declaring that racing for, say, 30 days was perfectly lawful and innocent, but that to race on the 31st day was a crime! That does not strike me as sensible or reasonable, and although I think the Dominion parliament has, in its general jurisdiction over criminal law, power to pass such an enactment, it would seem to me that the regulating of the times and manner of conducting race-track meetings was properly a matter for purely provincial attention.

I remain, yours faithfully,
A. B. AYLESWORTH.

Mr. W. F. MACLEAN. Will the hon. member (Mr. Miller) say why he does not take this agitation to that field?

Mr. MILLER. Because this is one matter, and only one matter, that might be controlled by the provincial legislature. But endeavour to cope with the whole matter and that which we must admit can only be controlled, and ought to be controlled in the Dominion parliament and under the Criminal Code. I think we all agree with the opinion given by the Minister of Justice that it would be within the power of this parliament to enact that racing for thirty days was perfectly lawful, and innocent, but to race on the 31st day was a crime, but we would also agree when he says: 'that does not strike me as sensible or reasonable'. I wish to put the other line of reasoning on a parallel with that and

ask the members of this House whether the position is not very much the same as to say that the Dominion parliament has the power to say that racing is punishable when carried on outside the race-track enclosure, but is innocent, harmless, and no crime if carried on inside the fence that surrounds the race-track. But even if we had not the opinion given by the Minister of Justice, we have that of the Hon. Mr. Fisher, who was asked what, in his opinion, would be the effect of shortening the race-meeting to ten days, and he said:

I should think they would be intensified for the ten days.

Q. In other words, you think they would try to get in the ten days the evil that they had committed in the sixty?—A. I should think so.

Q. And you do not see any difference between a ten days' and a sixty days' meet in that respect?—A. I think, probably, they could not do as much damage in ten days as they could in sixty days, although they would do as much of their works as they could do in ten.

The Hon. Mr. Templeman was asked his opinion as to limiting the race meeting to ten days, or to any number of days and his reply was:

I do not believe that if the race-meeting was limited to ten days, and there is book-making even to the extent that it might take place in the ten days, that it would meet public opinion in the city of Victoria.

Q. You do not think it will?—A. I do not think so. If there is book-making that will permit bank clerks and even young lads to take part in the pools and spend more money than they should, you will never satisfy public opinion.

Now our opponents, with deep concern, tell us that it will be impossible to enforce this legislation, that you cannot enforce the law even though it be the law. I do not know really whether the law could be be enforced or not and again I appeal to Inspector Duncan. In answer to Mr. Moss, page 199, he says:

Q. But you do not expect, as a practical man, to stamp that out by legislation, do you? A. If you want to stamp it out what will you stamp it out with, if you do not get legislation?

Q. Do you agree with him (Mr. Grasset), that you do not think it can be done away with by Act of parliament?—A. I think it can be done away with.

Q. You think it can?—A. I think it can; you will not eliminate it entirely, but you will get it under control and save a great many people from being ruined.

Then Inspector Archibald, page 226, testified:

Q. Then, if you had a law that was in plain Anglo-Saxon and easy to understand, forbidding betting on the race-tracks through the book-maker, would it be possible to reasonably enforce that law?—A. Yes.

Q. And suppress the betting?—A. Yes.

Then Detective Sleeman testified:

Q. I am asking you whether, if parliament passed a law making it illegal to bet in any manner, you think, as an experienced officer, that such a law could be successfully enforced? I would like to have your candid opinion on that.—A. I think we can. If you give us a law I think there is material enough in the police court and detectives of the Dominion to stamp out the evil spoken of.

Then Detective Carrington, who was brought to give evidence in opposition to the Bill, was asked this question:

Q. Is it difficult to enforce it?—A. Well, I do not think it is difficult, speaking from a professional point of view, to enforce any law if you occupy the position with proper officers.

Detective McMahon testifies:

Q. Do you see any difficulty about enforcing the law against book-making on the race-track?—A. You can enforce the law to prohibit it, sure.

Now, we have been told that public opinion is not behind this Bill, and that in the absence of public opinion, the law cannot be enforced. On this subject the Hon. Mr. Templeman was asked by Mr. Blain, M. P.:

Q. Would public opinion in the west endorse this Bill?—A. I think it would.

Now, Sir, I will come to the Vancouver Board of Trade. The Vancouver Board of Trade is not made up of parsons, or of men engaged in moral reform movements, but of hard-headed business men, having in view their own interests and the interests of the city, and this is the resolution they passed on the 5th of last November:

The Right Honourable the Minister of Justice,
Ottawa.

Sir,—I have the honour to advise you that—

Whereas, the question of race-track gambling in connection with the recently established 'Minoru Race Track' on Lulu island near the city, was fully discussed at the monthly meeting of this board on 5th October ultimo;

Whereas, the opinion was unanimous that in relation to the welfare and business interests of the city and of the community at large, legislation should be sought to effect the suppression of all professional gambling on race-tracks;

Whereas, the board is advised by the attorney general of British Columbia 'That the question of the suppression of gambling is one coming entirely within the powers of the Dominion parliament;

It was resolved, at a meeting of the council board held on the 4th inst, That the hon. the Minister of Justice be requested to adopt such legislation as may be necessary to bring the

suppression of race-track gambling within the Criminal Code of Canada.

I have the honour to be,
Your obedient servant,
WM. SKENE,
Secretary.

Mr. Cowan, member of parliament for Vancouver, gave his opinion:

Q. Well, will public opinion in your province endorse this Bill as it now stands, do you think?—A. I scarcely know how it stands.
Q. Supposing it does all we say it does?—A. That it does away with the book-maker?
Q. It does away entirely with the book-maker?—A. Yes, it will endorse it.

Then Mr. Cowan went further, and said:

Q. I merely wish to let the committee know the status of these gentlemen?—A. I know that not only the directors but the shareholders of this association are beyond criticism, substantial men, men who would not be identified with anything of a doubtful character if they knew it.
Q. Do they approve of this Bill?—A. I imagine that the majority of them do.

So we have the statement of a member of this House that the men who compose the Vancouver Racing Association are in favour of this Bill, and will support it. Inspector Archibald again testifies:

Q. You are in a very good position to have some knowledge of what is public opinion on this very question; if there should be a law passed now to entirely prohibit race-track gambling through the book-maker, do you think there is a public opinion that would assist you in enforcing that law?—A. I am very strongly of the opinion that there is already that public opinion.

Mr. Moss asked Detective Sleeman this question:

Q. You think you can stamp it out altogether?—A. I will do my part.
Q. Do you think the community will acquiesce in that?—A. I think you would have the community with you if you would stop book-making.

Now, Sir, let us no longer ask whether there is or is not public opinion behind this Bill, because the evidence is very clear that there is. Mr. E. C. Drury, master of the Dominion Grange, says:

I am fully convinced that popular feeling among the farmers stands behind Mr. Miller's Bill.

Let me point out to you also, Mr. Speaker, that all the church papers of Canada are strongly in favour of the Bill. The Toronto 'Globe,' the Toronto 'Telegram,' the Toronto 'Star. the Canadian 'Courier,' the Canadian 'Collier's,' and the local press throughout Canada, and most significant of all, all the farm papers and live stock journals have expressed themselves as being entirely in sympathy with the Bill now before the House. And last, but not least let me say that the Orange Lodge of Canada, in session recently, expressed itself very strongly in favour of the Bill; and no other resolution passed at the meeting of the Grand Lodge was so unanimously and so enthusiastically supported as was a resolution favouring this Bill. Now, Sir, why should there not be public opinion behind this Bill?

We have had similar legislation in the state of New York, in the state of Michigan, in nearly all the leading horse-breeding states of the American union. With a larger and longer experience than we have had, they have passed legislation prohibiting race-track gambling in those states. I do not say that in legislation, along the line of moral reform or otherwise, we should always follow their example, but I say that in legislating along these lines we have usually supposed ourselves to be at least up to as high a standard as the citizens of the United States, and I ask whether it is to be tolerated, whether it is to be supposed that we will continue to make Canada a dumping ground for the professional gamblers of the race-track banished by this legislation from the race-tracks of the American union. It has been said that we ought to follow English precedent, and that in place of that we are in this legislation seeking to follow American precedent. Let us see whether we have any precedent in following American rather than English precedent. At page 563-4 of the evidence, Mr. Nelson, sporting editor of the Toronto 'Globe', in replying to Mr. McCarthy explained the English system. He said that the system at the English race-tracks is that the book-maker is not allowed to be at the grand stand, or in the ground with the ordinary attendants at the races. The book-maker is shut off in a pen or inclosure for admission to which he pays a £1 entrance fee. The ordinary attendants at the races do not come in contact with the book-maker at all; if they want to get in contact with him in his inclosure they also must pay an additional £1. This is in itself a great protection to the young men of Great Britain, and to men who have not become addicted to race-track gambling. Mr. Blain asked Mr. Nelson:

Do you think that would be a desirable change for Canada?

And Mr. Nelson's reply was:

No sir.

The chairman said:

You do not believe, then, that in all things we should follow the English practice?

And Mr. Nelson's reply was:

No.

If the men who carry on the races persist in following not the English, not the

British, but the American system, they cannot, I think, find fault with us if we endeavour to meet the conditions they make with legislation more similar to that of America, than to that of Britain.

In conclusion, it has been said that Dr. Shearer has been at the bottom of all this agitation, that the legislation is really his legislation, that this whole matter has come from the agitation of preachers and pastors. I wish to read from the argument of the counsel opposed to this Bill. At page 9 they say:

> The undersigned do not desire to cast any reflection upon the many excellent and eminent ministers of the church who have been induced to lend their names to the agitation fostered by Dr. Shearer, nor to minimize the service they can do the community in uplifting its moral tone by exhortation and example, but it is respectfully urged that the promotion of legislation forms no part of the professional duty of a minister of the gospel.

Note the argument and turn to page 49 of the same argument where you will see:

> The supporters of the Bill have tried to lay stress on the fact that some of the racing clubs derive an income from the sale of telegraphic information in regard to the racing and betting. There is no law prohibiting the sale of this information, and it is quite natural that the clubs should sell it if some one is willing to pay for it, and if they did not do so, the information would be obtained notwithstanding.

We have the statements of the opponents of the Bill that they have been selling information from their race-tracks for the carrying on and maintenance of pool-rooms in the United States, and in distant cities. They admit that it is not a right thing to do, and they say they do not want to be longer permitted to do it, but are willing to abandon it, as a thing that ought not to be continued. But how long would it have taken the appeals and exhortations of ministers to prevent these men from continuing to sell racing information? It was only the prospect of legislation that made them abandon this, as they are now ready to do. How long would it take these men to be influenced in any degree by the example and exhortation of ministers? I am prepared to admit that no minister or pastor ought to endeavour to or be permitted to dictate as to what shall be the legislation of this House; but I do contend that it is the right of a minister of the gospel to suggest legislation. Men supporting this Bill have been accused of being narrow-minded. I have myself been accused of being narrow-minded in supporting this Bill, as have many others. Can there be any greater evidence of a narrow mind than this, that a man when asked to support a Bill will say: In whose brain did that Bill originate, in whose brain was it formed? Then, if it is the suggestion of a minister: I will not support it. If it is the suggestion of some other man: I will. Is that a broad way to look at legislation? Will not the broad-minded man say: If this Bill is reasonable and right I will support it, if it is wrong I will oppose it no matter whence it comes? No minister has ever endeavoured to control my course in any legislation, and no minister of the gospel need try, because no minister can. I would not ask any member to vote on this or on any question as he may have been dictated to by any one. I have not seen any evidence that any minister of the gospel has endeavoured to dictate to any member how he shall vote. It has been said that the public opinion in favour of the Bill is largely the result of petitions and circulars. The repeal of the Corn laws in Great Britain, the reform law of 1832, the emancipation of the Catholics, all these great reforms were the result of long-continued agitation, and arguments, public meetings, the agitation of the public mind in every possible way, and in that way they were carried. In that way all such legislation, and all great reforms have been brought about and carried. It has been said that you cannot make men good by Act of parliament. It was a saying of Mr. Gladstone—that it is the duty of parliament to make it as easy as possible for men to do right, and as difficult as possible for men to do wrong.

I have been glad to see the hon. member for Brandon (Mr. Sifton) who is chairman of the Conservation Commission taking notes, and I assume he will speak on this subject. I have no knowledge nor is it any business of mine whether he will speak in favour of, or against the Bill; but as a great Canadian, as a man who has taken a great interest in the conserving of our natural resources, I cannot believe he will fail to realize that the greatest natural resources we have are Canadian men and women. I cannot but believe that the chairman of that Conservation Commission, who endeavours to protect the water-powers of Canada, will realize that the greatest power Canada has is the power of Canadian men and Canadian women. I cannot but believe that the chairman of that commission, who endeavours to preserve the small trees in our forests, will endeavour to preserve to Canada the small boys, the young men of Canada. I cannot but believe that the chairman of that commission, who endeavours to protect for Canada, gold, coal, iron, and all the ores that exist in the country, will endeavour to protect the gold in the pockets of Canada, and not permit it to be taken away by American book-makers who invade our land. I cannot believe that the chairman of the Conservation Commission who says

that no American shall interfere with our waterways will permit a herd of American book-makers to control our race-tracks in Canada, and deteriorate the morals, and take away the character, the reputation, and the respectability of the Canadian people. The names of people in high places whom the rules of parliament prevent me from mentioning have been invoked in this debate; their practices have been quoted by the opponents of the Bill. I say, Sir, that is hardly fair to gentlemen who occupy places of high position in the land, because these gentlemen on account of their position cannot reply to the statements made. I may say, Sir, that a certain gentleman in England occupying the highest position; one who is sometimes referred to as the first gentleman of Britain wrote a letter a little while ago on this question of gambling, and that letter is reported in the Toronto 'Star,' of February 24. The item says that the Reverend Montague Fowler, lecturing on the subject of racing, and gambling quoted the following from a letter written by this high personage:

> I have horror of gambling and shall always do my utmost to discourage others who have an inclination for it, as the spirit of gambling like intemperance is one of the greatest evils than can afflict a country.

I am not by the rules of the House permitted to mention the name of the person who wrote that letter, but I do say that when that personage writes that gambling is one of the greatest evils that can afflict a country, we cannot be found fault with by that gentleman or by the gentleman who represents him in Canada or by any others who are loyal British subjects if we support this Bill.

In conclusion I may say that when we get into committee to deal with the Bill section by section, I shall offer amendments that will make it perfectly clear that section 227 does not relate to bets between private individuals and which will make less drastic the provisions of section 235 as to the publication of racing information.

Mr. J. B. McCOLL (Northumberland, Ont. W. R.) My hon. friend (Mr. Miller) has referred to what he calls the opponents of this Bill. Mr. Speaker, there are no oppoments to the general principle of the Bill. There are no opponents to the leading features of this Bill, but there are opponents to the drastic, extreme, unjust, and unfair provisions of this Bill. Now, what is the general principle of this Bill? The general principle of the Bill is to amend the Criminal Code in such a manner as to make the law more effective in restricting and abolishing gambling and the evils resulting therefrom, and particularly that class of gambling known as race-track gambling. And, what are the leading features and provisions of this Bill? The leading features and provisions of the Bill are to broaden and extend the definition of common gaming house, common betting house, and disorderly houses to make the law more effective in abolishing that class of gambling carried on by means of what are known as hand-books or hand-book operators; to abolish what are known as toots and tipsters and the operations carried on by such persons; to abolish the sale of tips, the sale of racing information publishing odds on races, and the advertising of racing information. Now, what are the drastic and extreme and unjust and unfair provisions of the Bill? This proposed legislation invokes the Criminal Code and makes criminal certain acts and courses of conduct which a large portion of the public, perhaps the large majority of the people of Canada, look upon as absolutely a harmless and innocent recreation. Any such legislation I submit is drastic and extreme. This proposed legislation in its present form, according to the overwhelming weight of evidence presented to the committee will seriously affect if not totally abolish the noble and royal sport of horse-racing; a sport that has been fostered, encouraged, promoted, and patronized by the kings of England for the last 200 years, and which is being encouraged and promoted and patronized today not only by the present King of Great Britain but by other crowned heads and governments of Europe. I submit that any legislation that will seriously interfere with or abolish such a sport is drastic and extreme. Then, according to the evidence submitted to the Committee the Bill in its present form would certainly affect the light horse-breeding in Canada and the result in great financial loss to the importers and producers of the thoroughbred, standard breed, and other light horse breeds of Canada by depreciating the value of their stables and business. I submit, Sir, that any legislation having that result is unjust and unfair. Then, according to the evidence the Bill if passed in its present form would cause great financial loss to the jockey clubs and other racing associations by depreciating the value of their properties and plants. Therefore the features of the Bill in that respect are unjust as unfair.

Now Mr. Speaker my hon. friend (Mr. Miller) quoted from the evidence to show that the real issue between what he calls the opponents of the Bill and the promoters of the Bill was narrowed down to a very fine point. In fact he quoted from the evidence to show that the so called opponents of the Bill were ready and willing to co-operate, and I may say they did co-operate with the promoters of the Bill in amending the Bill so as to greatly improve on its original form. Then, the only point of difference between the promoters of the Bill

and the so-called opponents of the Bill is this: That the promoters of the Bill desire to abolish absolutely all kinds of public betting on a race-course while the race is in actual progress; and the so-called opponents of the Bill desire to protect the racing, by permitting, as has always been permitted in Canada, the privilege of betting upon the race-course during the actual progress of the race meeting. Now Sir, my hon. friend (Mr. Miller) in the course of his remarks frequently used the expression 'race-track gambling,' and it appeared to me as if he liked to use that expression as often as possible. I am going to argue Sir, that what takes place on a well regulated race-course such as some of the race-courses we have in Canada is not race track gambling, and that the evils admitted on all hands which do result from race-track gambling do not occur upon the race-courses, but outside of the race-track altogether. When I am arguing in favour of race-track associations or jockey clubs, I mean those conducted by the class of men who are in that business for the sport that is in it, and not race-tracks that are conducted purely for business purposes or perhaps for gambling purposes. In this connection I wish to quote a statement made by Mr. Raney, solicitor for the promoters of the Bill, made at the beginning of the proceedings and before any evidence was taken. It will be found at pages 7 and 8 of the proceedings. He said:—

There is a broad line of demarcation separating these tracks into two classes, and I may classify them in this way: on the one side of the line are the Woodbine, the Montreal track and the Hamilton track. On the other side of the line of demarcation are the Fort Erie track, the Windsor track, the British Columbia track. These tracks are divided, as I say, by a line of demarcation, and I will define at once what that line of demarcation is. To illustrate it, I will refer to two tracks—the Woodbine on the one side and the Fort Erie on the other as types of these two classes. Now the Woodbine race meet is essentially a social and a sporting event; attracting many of the best people of Canada, with race-track book-making as an attraction and as a principal financial support. This race-track is managed as you have heard from Mr. McCarthy, by eminently respectable men, strong men financially, all Canadians.

It is the class of race-track which Mr. Raney has there described that the so-called opponents of this Bill desire to protect. What I say is this—and I speak not only from the overwhelming evidence that has been brought before the committee, but also from personal knowledge of what I have seen and observed on the Woodbine race-course at Toronto—that practically all the betting that goes on there is not gambling in the strict sense of the word. What is it? In the first place, I will refer to my own riding, and I will ask every other member of the House also to bring his mind to bear on what exists in his own constituency—the class of people in his constituency who go to the Woodbine or any other race-track of the class I have described, and say whether or not he would consider them to be gamblers in any sense of the word. Probably not more than a dozen, or twenty at the outside, of my constituents ever go to a race-track where book-making or pool-selling takes place. These men are not gamblers in any sense of the word. I can recall two of them who do not even know how to play a game of cards, who do not bet on hockey matches, baseball or prize fighting. These men go to the Woodbine; they look forward to spending a day or two there during the year for the sport and recreation they get. While there they bet. They may bet $2 or $5 on a race. Generally six or seven races take place in a day. They may win or they may lose. As a result, they may be $10 or $20 ahead or they may be that much behind. But, whether they lose or not, they have enjoyed their sport, they have had their outing. That is the form of recreation they take. They are not injured by it in any way, and to call these men gamblers would be absolutely wrong. With regard to the betting that takes place there, whether it is right or wrong, it is something that has grown up among the British people and has been going on for centuries. It is an incident of the great national sport of horse-racing that betting takes place on the results. The betting is an incident to the sport. Probably 90 per cent of the people who go to a race meeting conducted as the Woodbine is, and bet at all, are of that class of people. They bet as an incident of the sport, not with the gambling instinct at all. It has been said that if we abolish book-making and public betting on the race-track, it will not interfere with racing. But one of the proofs that the betting privileges are a great attraction for those who go to race meetings to enjoy the sport is that if these are removed, the attendance falls off, the races are not patronized, the gate receipts go, and the whole thing eventually fails altogether. To take the other side for a moment, I may be asked, do you pretend to argue that there are no evils resulting from race-track gambling? Certainly, very many evils have grown up from race-track gambling. What are they? What takes place in the pool rooms and on the streets? What takes place by the operation of hand-books, in barber shops, in third-rate hotels, in butcher shops, and so on? We had it clearly demonstrated before the committee that in the city of Toronto to-day there are probably from 300 to 500 hand-book

operators. How do they operate? What do they bet on? There are no races going on in Toronto to-day. Their betting is done on race-meets which are going on in the United States—at Jacksonville, Tampa, Oakland, California, and so on. How is that done? By means of reading the newspapers. In the early morning they see the entries that have been made for the races at Jacksonville in the afternoon, and there is thus an opportunity for them to go out and make their bets. They go around canvassing people on the streets. They canvass workmen, even going to the Massey-Harris factory, and make bets of from 25 cents to $2, or even more. How do they decide the bet? The next morning the reports come out in the newspapers showing what horses won and the odds against them, and those who risked their money are paid off according to the published results. The unanimous opinion of the committee was that it was highly desirable to abolish all that class of gambling, which is going on from day to day in the way I have described. That is what can be termed strictly race-track gambling. What I have described as taking place at a well conducted race-meet is not race-track gambling, but an act which is an incident and an incentive to horse-racing.

My hon. friend has tried to impress upon the House the idea that book-makers are very undesirable men, whose principal business is to rob the public. Let us be just and consider for a moment what book-making really is and how it is carried on. This Bill aims at prohibiting pool-selling and book-making. What is pool-selling? That is something which is practised principally at trotting meets, but at running meets of the various jockey clubs, book-making takes the place of pool-selling. At the trotting meets both are carried on, but it is chiefly the pool-seller who operates. What are his operations? He acts as an agent for the public who desire to bet. He sells the pools and takes in the cash, and when the race is over, he deducts his five or ten per cent, and the rest of the money is divided among the winners. So that what money the pool-seller takes in goes back to the public, less the commission which he charges. The book-maker, who carries on his legitimate business, is in exactly the same position. His position is as close to that of a stock-broker as you can imagine. That was the general tenor of the evidence before the committee. Pool-selling appears to be a very satisfactory way of betting at a trotting race. There you would probably have two races in the afternoon. The races are run in heats, the best two out of three or three out of five. At running meets, however, the contests are all dash races, there may be six or seven a day, and an entirely different class of horses come out in each race. Pool-selling is, therefore, not a convenient or satisfactory way of betting at such meets, the book-maker consequently takes the place of the pool-seller. I might just mention that a book-maker on a race-track of an association such as the Woodbine is a different man altogether from the book-maker who may operate in a pool-room or upon that other class of tracks to which I shall refer later. The book-maker on tracks such as the Woodbine are under regulations. Every precaution is taken to protect the public, and they almost invariably stick to their legitimate business, which is this: The book-maker takes the horses which are to start in a certain race and puts up their names on a blackboard. He then gives the odds—one at even money, another at two to three, and so on. Under ordinary circumstances the book-maker—it is a mathematical calculation—ought to make ten or five per cent profit out of his operations, just the same as the pool-seller does. His calculations may go wrong. On one race he may lose and not make any percentage; on the next he may win. But if he carries on his legitimate business, he starts on a basis of making five or ten per cent, and on the average he does so. But if he should step outside legitimate business and go into speculating himself, he may win or lose, just the same as any other speculator. It is the public who really make the odds. You will continually see the slate changing. A horse quoted at one price may be quoted at an entirely different price in another minute. It all depends on how the public bet. The book-maker, in order to protect himself, has to change the odds, and his object is to take in something on every horse. There may be ten in the race. He has a better chance to come out even on the ten, because if all the public bet on the one horse, and that horse won, the book-maker would be broke. Every book-maker on a well regulated track is nothing more than an agent of the public, doing business in the way I have described. He is not that terrible individual which many people, who know nothing about the subject, imagine him to be, or my hon. friend would have the House believe he is.

What further do we see at the Woodbine? Every precaution is taken to protect the public. It is well provided with police. The local Toronto force is there, and in addition, special Pinkerton men are engaged at the expense of the club. These men appear on the course in plain clothes. They collect information and report to the local police, so that if the police see any parties who are undesirable, these parties are at once dealt with. What I am stating appears in the evidence taken before the committee, and I do not propose to take up time by quoting page after page of that evidence.

Again, we find that before the race-meet takes place, the authorities are in communication with the Pinkerton or other detective agencies, which they require to be on the lookout for any undesirable class of people about to leave Chicago or New York or Chicago, or elsewhere, for Toronto. The local force is on the lookout for just such people as soon as they arrive. If these suspects turn out not to be too hard looking, they are allowed to go free on condition that they leave town; but if they are considered too dangerous to let go, they are kept in custody until the meet is over. These are things that are done, these are provisions that are made, to protect the public against the undesirable classes that are likely to come to any large gathering. According to the evidence before the committee, there are far more offences in the way of pickpocketing and such like at the Toronto exhibition than at the Woodbine. As I say, there is an undesirable class, pickpockets, thieves and fakirs of different kinds, that are attracted to every large gathering.

Mr. TALBOT. They follow every crowd.

Mr. McCOLL. Yes. So long as horse-racing continues, that class will endeavour to get there, and the most that any racing association can do is to take the greatest precautions to protect the public against them. That is done, and done at great expense, at the Woodbine. Again, they protect the public in the matter of betting in this way: A race-horse owner comes there with his stable. He has a good horse. The horse starts on the opening day, and the public, knowing it from reputation, bet their money on it. But he shows poor form, makes a bad showing and the people lose their money. A day or two afterwards, the same horse appears and there is a great reversal of form, but the public, thinking that the horse is out of form do not bet on him, he is a long price in the books; but that day he goes out and wins. If that occurs at the Woodbine, what is done? The owner and trainer are at once brought before the stewards at the jockey club, and if the owner cannot give a satisfactory explanation—sometimes there may be a satisfactory explanation, for the horse may have been interfered with in the race or may not be in proper form—but, unless the explanation is satisfactory, that man is ruled off the course, he and his stable, ejected from the Woodbine and not permitted to race there any longer. That is another means that the club takes to protect the public. It sometimes happens that the jockeys may be bribed to pull a horse or to do something wrong in that regard. That very rarely happens, if it happens at all, at a well conducted race-track, such as the Woodbine. And why? These jockeys are licensed, they are paid large salaries, their business is like a profession, and if they are found doing anything wrong or crooked, they are at once brought before the stewards, their licenses are cancelled and their business is taken from them. I might mention other ways in which a race-track such as the Woodbine takes every means in its power to protect the public.

There are, however, race-tracks of another class. I do not know whether they exist in Canada or not. It appears from the evidence before the committee that Fort Erie and Windsor at one time were objectionable, but they are not so now. But, if there is anything wrong at any race-track, I submit that that is a matter for regulation and not for invoking the Criminal Code. Why should the men at the head of racing associations and jockey clubs such as I have described be brought before the public as criminals, or as consorting with criminals, when these meets could be regulated by the proper authorities? If we have not the jurisdiction, then go to the authority that has the jurisdiction and ask for regulation, but do not take the drastic means of invoking the Criminal Code. Reference has been made to the Vancouver race-meet that took place last year. That was an exceptional case, and, in dealing with it, I will give the substance of the evidence before the committee. It appears that men interested in the racing business organized a racing association at Vancouver and built a new race-track which they named the Minoru after King Edward's Derby winner of last year. Instead of operating the track last year, they rented it to an American concern, and, unfortunately, rented it for sixty days or ninety days—I have forgotten the number. Last year, a fair was going on at Seattle which brought large crowds of people to that city. It appears that there are boats plying regularly between Seattle and Vancouver. Extra boats were put on to take the crowds to this race meet, and, according to the evidence before the committee, a disgraceful state of affairs existed there, something that should be entirely prohibited, something that no one would justify. The local authorities could have stopped it—so it appeared from the evidence before the committee—had they seen fit to do so; they could have cancelled the contract they had with the Americans. That probably would have meant an action for damages, and the payment of money which, it is to be supposed, they did not wish to be called upon to pay. It will be seen that there were special circumstances there that are not likely to occur again, and the concurrence of which could be prevented by action of the local authorities. I see it stated in the public press that the muni-

cipal authorities of Victoria have already taken steps to prevent occurrences similar to those of last year. So, if there be objectionable race-tracks, there is a means of regulating them, otherwise than by invoking the Criminal Code as proposed under this Bill.

Now, my hon. friend (Mr. Miller) quoted a great deal of the evidence and referred to a number of witnesses. But, I think that if you will read the evidence of these several witnesses that he quoted—read the whole of their evidence—you will find that my hon. friend, perhaps, was not entirely fair in the impression that he tried to give to the House of that evidence. Again, it would appear to me to be only a proper thing, if he wished to be fair in laying the matter before the House, to give both sides, if there be two sides to it. He quoted the Minister of Agriculture (Mr. Fisher) and tried to give great weight to the evidence given by that gentleman. But read the evidence of the Minister of Agriculture and you will find that he admitted that he practically knew nothing about the thing at all. I draw the attention of the House to the fact that the Minister of Agriculture has not yet established a racing branch in connection with his department. As against the evidence given by the Minister of Agriculture, I will refer to that of Dr. Rutherford. Dr. Rutherford also was quoted by my hon. friend; but I ask any hon. member of the House to read the whole of Dr. Rutherford's evidence. In the first place, before he became a veterinary director general, he managed a large racing-stable in the United States. Besides, he was a breeder of thoroughbreds. He spoke from a personal knowledge of the racing business for years. Read his evidence in full. That evidence clearly establishes, in the first place, that the thoroughbred is a very important, probably the most important, breed of horses in the world to-day. It is established that the thoroughbred is the foundation of all the light horses of the country, that the thoroughbred is used in improving the hackney, the standard breed of all the different classes of light horses in Canada. It is also established in Dr. Rutherford's evidence that racing is necessary to develop the thoroughbred, to develop his intelligence, his courage, his stamina and so on. Let me say that witness upon witness came before the committee giving evidence along the same lines, and establishing that the thoroughbred was very necessary for the breeding industry of the country, that racing was necessary to develop that horse, and that in order to promote racing it was necessary to have some kind of public betting on the race-course, and that if that were abolished, not only would racing deteriorate, but would probably die out. Witness after witness testified along these lines, and I appeal to any member of the committee, that when it was proposed to bring further witnesses, the committee were unanimously of the opinion that these facts had been fully established, that there was no dispute, and that it was unnecessary for those who were opposing the drastic provisions of the Bill to bring further witnesses. I may mention a few who testified before the committee: We had Dr. Rutherford, we had Mr. Dyment, ex-M.P., we had the Hon. J. H. Hendrie, one of the greatest breeders of thoroughbreds in the country, Dr. McEachern, Major Wm. Hendrie, Mr. Yager, of Simcoe, a breeder of hackneys that he crosses with thoroughbreds. We had a large number of witnesses who gave evidence along the lines of indicating that I have indicated, and a great many more could have been produced, but the committee thought it was not necessary. So, when my hon. friend to-day undertook to show that the thoroughbred was absolutely of no use for any purpose whatever, and I think he went to that extent, I was very much surprised, because that was entirely contrary to the evidence.

Now, my hon. friend has quoted some other authorities. You will remember he quoted from a book of Mr. E. King Dodds, he was for many years editor of the 'Canadian Sportsman.' Now, I am willing to admit that Mr. Dodds is one of the greatest authorities perhaps on this question that could be quoted, and perhaps my hon. friend would agree that if Mr. Dodds has expressed any opinions on this particular Bill, he would be inclined to agree with them. Now, I happen to have a long article written by Mr. Dodds in the last week's issue of the 'Canadian Sportsman,' in which he discusses this very Bill. I did not intend to make any reference to it, but as my hon. friend has quoted Mr. Dodds as an authority, I think it is proper for me to give his opinion on this particular Bill. I will not read the whole article, because it is somewhat lengthy. Apparently what brought forth the article was the argument of Mr. Raney, solicitor for the promoters of the Bill. Let me read the head notes of the article:

The anti-betting question. Mr. E. King Dodds replies to Lawyer Raney's so-called argument against betting at the races—facts against fiction—the evidence of jailbirds not entitled to consideration. Hand-books flourish when betting on the track is prohibited, a greater evil therefore increased. If betting is declared illegal on the race-course the Ontario Jockey Club will close their gates and the echo of the hoofs of the galloping thoroughbreds will no longer be heard at the Woodbine Park.

Those are the head notes to the article written by Mr. Dodds. From that article I quote:

If betting under any and all systems is prohibited on Canadian race-tracks, the clubs

must either close their gates or offer such small purses that it would be impossible for a horse owner to pay running expenses, even should he win a liberal proportion of the prizes offered. The abolishment of horse-racing at Woodbine, it has been officially announced by the old jockey club, would result if an anti-betting law is passed.

Again:

Mr. Raney's contention is that betting at the track, even during the progress of the racing, is not essential, and that its elimination would not injuriously affect the interests of horse-breedineg.

That is Mr. Raney's contention. Now take Mr. Dodds' comment on that, and the proof he adduces:

Devoid as he is of experience, his opinion on this question is valueless. The so-called Hughes law in the state of New York provides ample testimony to the contrary. Stakes like the Brooklyn and Surburban handicaps, the value of each of which, previous to the passage of that law, was $25,000, have been cut down, so that in 1909 the value to the winners was only $3,850 in each event. Other stakes previously worth $10,000 were reduced to $2,000, and over-night events of $1,250 and $1,500 have shrunk to $400 and $500, while the attendance of spectators at the Metropolitan meetings fell off from an average of 12,000 to less than 3,000 per day. Such great racing stables as those of Messrs. Belmont, Vanderbilt, Keene, Whitney and others, have been forced to transfer their horses to Great Britain and France where wiser laws govern the sport.

My hon. friend read a long list of events that are announced to take place on the New York tracks during the coming season, I think he read 15. But he did not compare the purses given during the coming year with the purses given in the past, and, perhaps, it might be well for me here to refer a little to this Hughes law. Two years ago the law was passed in the state of New York and some other states of the union abolishing betting at race-tracks, abolishing the book-maker. What is the result? Has the Act been a success? What do we find this year? There are three Bills before the New York legislature proposing changes in the Hughes law. That law did not abolish gambling as expected, according to the evidence brought before our committee by representatives of the Pinkerton and Thiel detective agencies. Assuming that this Bill would have the same effect as the Hughes Bill, what would be the result in Canada? Whereas, now public betting is allowed to book-makers under regulation by the association, if the book-makers were prohibited from going to the track, any betting that took place would have to be done by private betting, which my hon. friend says is not to be interfered with by this legislation. I have said that the large majority of people who go to the Woodbine or to places of that kind, to a track conducted first for the sport, go there and bet from a sporting instinct and not from a gambling instinct. But when there is a chance to bet, gamblers bet with the book-makers and among themselves. Abolish the book-maker. Then the gambling element would go there just as before, but while they used to bet with the book-makers, they would have to find some one else to bet with. They would be able to say they were only private betters, that they were not making books, and that under the law they were legalized and recognized. In Toronto or New York all that gambling element who would go down and bet with the book-maker under present conditions would go there and bet in their private capacity, taking in as many of the other visitors to the races as they possibly could. We will suppose that a man goes to the race-track to enjoy the sport, and that there is no book-maker present. He would like to bet $5 on a race. The promoters of this Bill say that he should find out his friends and bet with them. He may have no friends there. Then they say: give it up altogether. Yes, the man may give it up, but it will be found that there are any number of men of the class I have spoken of, men who may have been objectionable book-makers under other conditions, ready to accommodate him and take his bet. He will then be betting without any protection, and if he wins the chances are he will not get his money. He is betting with strangers, and the result will be that that class of better, that is the sporting element, will not take their chances of betting with strangers, they will keep away from the track, and racing will deteriorate. That will leave a larger field for the regular gambler. They will go down there and bet among themselves or with others, they will bet orally, they will make no books, and the evidence is that that has been the result of the operation of the Hughes law in New York, and that the real evils of gambling have been largely increased rather than diminished by its operation. That in effect is the general result of that law. Racing has been deteriorated, the sporting element who formerly patronized these tracks and their large stables have gone to Europe, to England and France. The other patrons of the track who would go there to enjoy the sport keep away, and the race-tracks now are in full control of the gambling element. The pool-rooms in New York have increased largely since the Hughes law went into force. That has been the result, and I think it only fair to assume that it may be the result here if this Bill passes in its present form. If there be any doubt as to whether or not it would have that effect, would it not be better to take no chances on it? The Bill goes very far. It is in-

tended to remove all the admitted evils of race-track gambling. Then it appears to me it would be wisdom all round not to go too far, but to concede the small provisions that the so-called opponents of the Bill desire. In that way we would be protecting the sporting interests, we would be protecting horse-breeding in Canada, and we would not be inflicting serious injury on any one.

Another question to which my hon. friend referred was the economic question. He stated that the jockey clubs and racing associations obtained large revenues from the sale of book-making privileges. That is quite true, but if this legislation goes into force, as the majority of the committee desire, if all the provisions about which there is no dispute go into force, then they will not have that large revenue, and they will be losing to that extent. My hon. friend tried to lead the House to believe that something like $2,000,000 was taken annually from the people of Canada by book-makers from the United States. That was entirely erroneous. The evidence before the committee was that almost invariably, particularly at the spring meeting at the Woodbine, the book-makers actually lost money. You would say why would they give large sums for the racing privilege if they were losing money by them? The explanation is that as a part of the privileges they get they have the right to have a telegraph office at the Woodbine, and to send information on the races to the United States. It appears that there is an association known as the Interstate News Company, whose head office is in New York. As each race is run at the Woodbine, information regarding that race is sent to that Interstate News Company. For instance, you will see alongside of this telegraph office a man with a field glass calling off the horses at their positions at the post and at each quarter pole, The odds that the public make on the race-track are also telegraphed to that Interstate Association. Then the company telegraph that same information to all the pool-rooms in the United States, so that while the races are actually taking place at the Woodbine, under conditions that have grown up in recent years by allowing that information to go out, a system of gambling that is purely race-track gambling is going on in all the pool-rooms of the United States. But, you say, how do they make their money? This is how. It appeared in the evidence—and that from witnesses brought by the promoters of the Bill—that it was a practice in the pool-rooms, where the betting took place, to give just double the odds against the bettor that would be given on the race-track, so that the book-makers might be losing a large amount of money at the Woodbine, and yet in the pool-rooms away from the track, where the odds were doubled against the bettor, they might be able to make a large amount of money. It is because of that privilege of having telegraph companies upon the race-track sending out the information that they can afford to give the money they do for the betting privileges. All are agreed that that condition of affairs should be stopped. I would here point out that although this practice is of no special injury to Canada, because the gambling takes place in another country, yet it is no doubt an injury to our neighbours to the south of the line, as it enables them to carry on a large system of what is actually and truly race-track gambling, and it would be our duty, I believe, to prohibit that.

Mr. LANCASTER. As good neighbours.

Mr. McCOLL. Yes, on any sound moral principle. That is the reason why these people are able to give such a large amount of money for the privilege of making books at Woodbine, and although they may be losers there they make their money in another way in actual gambling. I may mention that the book-maker that we see on the race-track, the man operating with the blackboard, is in a large number of cases nothing more than a paid clerk getting $15 a day, and a commission upon the profits if there be any. By this means the association in Chicago, or some other place provides the capital, and the man on the track is simply a clerk who understands the mathematical calculation of making a five per cent book or a ten per cent book, or whatever percentage he is instructed to make.

Now, Mr. Speaker, my hon. friend (Mr. Miller) has referred to the question as to whether the church should interfere in promoting legislation, and I do not propose to enter upon a discussion of that. I suppose that in every country, and in every state there are social and moral questions that deserve the attention of the legislature, or of any societies that may take them up. And, any association that takes up these questions with the desire to promote the public good deserves the highest commendation. We sometimes find, however, that men who make it a special work to promote such reforms are inclined to go a little too far, to become over enthusiastic and over zealous. It was Pope who wrote:

> For virtue's self may too much zeal be had,
> The worst of madness is a saint gone mad.

Well, Mr. Speaker, I do not wish for one moment to suggest that my hon. friend (Mr. Miller) or those who are behind him, or associated with him in promoting this Bill have reached that ideal state that would qualify them for canonization, but

what I do say is that in my opinion they are moved by an over-zealousness, by a misguided enthusiasm which has somewhat narrowed their line of vision and affected their judgment to such an extent that they are not able to take that broad and liberal view of this question which should characterize the members of such a representative body as this House. I lay it down as a principle that in a country like Canada where we have such a great diversity of opinion upon questions of a quasi-religious or moral character, that the last thing that should be thought of is the invocation of the Criminal Code to regulate them. We have had in times past men of very extreme views. Oliver Cromwell attempted to absolutely prohibit horse-racing in England; he also issued an order forbidding the eating of mince pie. Well, Oliver Cromwell is gone, but horse-racing still exists in England. I mention that to show the extreme views that some people of the past have entertained. There may be people in Canada to-day, in fact I believe there are some, who are absolutely opposed to horse-racing in any form. To these people I say: you have a perfect right to enjoy your opinions, that is a privilege accorded to every Canadian. And, Sir, while men are at liberty to have views of their own of the very extremest kind, yet I say it is not in the interests of this country that they should try to force these views upon other elements of the community who do not share them, and especially so by that most offensive means possible, the invocation of the Criminal Code. I would say that if any of these social and moral questions which from time to time do arise can be regulated in any other way than by the Criminal Code, we should so regulate them, but if we are to invoke the Criminal Code for every trifling little matter that may arise we will very soon cause the masses of the people to lose respect for the Criminal Code. On this question of public betting on race-tracks, we find that in Great Britain, in France and in all European countries, in the British colonies, in the Argentine Republic and other South American states, there are laws upon horse-racing, but in every case they permit public betting. Petitions which were presented to the House asking for this legislation stated that Japan and certain states of the American union had passed laws prohibiting book-making; but the evidence before the committee was that in Japan the prohibition had lasted only for a year, and that last year the Japanese government appointed a commission to visit the various countries of Europe and investigate the different systems of betting on race-courses that were permitted, with a view to introducing similar legislation in Japan. So we have before us the experience of all these countries for many years permitting what the so-called opponents of this Bill are asking. I may say that when we get into committee I have an amendment which I intend to move on this point. My hon. friend referred to the question of public opinion. I think it was Spalding who said that there was no worse tyranny than the public opinion that condemns innocent pastimes. It appears to me that we have here an exemplification of the principle involved in that aphorism. In the first place, I say that there is no spontaneous public opinion asking for this legislation. Such public opinion as does exist in favour of it is what I might term a manufactured or fictitious public opinion, and not a genuine public opinion at all. Perhaps I might qualify that in this way. I believe there is not only now, but has always existed a genuine public opinion in favour of the general principle of this Bill, which I enunciated at the opening of my remarks; but for the particular provisions of the Bill there is no public opinion at all, because at least 90 per cent of the public in reality know nothing about it. I may be asked what authority I have for that statement. Again, Mr. Speaker, I go to my own constituency, and I speak of what I know independently of any evidence that was brought before the committee. As I have stated, probably not more than a dozen or twenty of my constituents ever go to a race-track meeting where betting takes place. The rest of my constituents know nothing about it; they are not affected by it, are not injured by it, and are not concerned about it. I would ask every member of this House to apply the same rule to his constituency and see if in 90 per cent of the constituencies of Canada the same condition does not exist. Now, if there be evils resulting from what takes place on a race-track during the progress of a race-meet, they naturally come from the particular place where the race-track is situated. If we are to judge from the remarks made when this Bill received its second reading, every member from the city of Toronto, where the Woodbine track is located, will vote against the drastic provisions of this Bill. The same is probably true of Hamilton and Montreal. So that the people who ought to know and who no doubt do know of the evils, if any, that exist, as these places are among the so-called opponents of the Bill. From the standpoint of public opinion, I think that a very important statement. Then we had submitted to the committee from the farmers in the vicinity of Windsor a very largely-signed petition objecting to this legislation. But I may say that I have not very much faith in petitions. Peti-

tions that are genuinely submitted by the people of a locality in regard to some grievance, under which they suffer, are entitled to a great deal of consideration; but petitions that are worked up by people who live probably hundreds of miles away, and are signed by the class of people who know nothing about the question at issue, are entitled to very little weight. Let us consider how this agitation arose. I suppose there is no doubt—in fact, it appears from the resolutions taken from the minute books and recorded in the evidence before the House—that the prime mover in this matter was the Rev. Dr. Shearer, who is at present connected with the social and moral reform movement. I believe that Dr. Shearer is acting in the very best of faith, and is impelled by the very highest motives in bringing about this agitation. But at the very beginning Dr. Shearer made one very great mistake, and it is a mistake that has not yet been rectified. It is a mistake which has largely influenced a great many people who do not know any better. In the first place, in the General Assembly of the Presbyterian church a resolution was passed with a recital to the effect that the intention of parliament was being violated by these racing associations. The meaning of that is this, that what parliament intended, when it passed the Criminal Code seventeen years ago, was being violated and had been continually violated during those seventeen years by the racing associations throughout the country. We have had it clearly demonstrated that the very opposite is the fact. Dr. Shearer and the promoters of this Bill know better now. They learned that when they came before the committee, if they did not know it before; but apparently no steps have been taken to remove that wrong impression from the minds of the people among whom it was circulated. As proof of that, I quote a sermon which was preached on this gambling question in a Presbyterian church in Toronto, only a week ago by the Rev. Dr. Fasken. It was reported in the 'Globe'; probably some hon. gentlemen will remember it. This sermon was preached on this gambling question by the Reverend Dr. Fasken, and in that sermon he reiterated, as late as the 20th March, after this Bill had been reported to the House, that mistake which existed in the beginning. Here is what appears in the 'Globe':

> Mr. Fasken then proceeded to speak of the provisions of the Criminal Code and the bearing upon them of the Miller Bill. That Bill had sought merely to do what the law meant to do in the first place.

There you have the statement that all which the Miller Bill intends to do is to make effective what was the intention of parliament in the first place. The wrong impression, repeated as late as a week ago, got among the people in the beginning and has not yet been removed, and I have every confidence that when the people understand even that one point only, that public opinion, which does exist in favour of this Bill, will change.

While I commend the motives of the promoters of this measure, I do not think I can commend their methods. How was this agitation brought about? In the first place, the promoters got together and passed resolutions and came before the government in order to have it made a government measure. I am speaking from the extracts from the minute-book of the association which appeared in the evidence. The government declined. Then the promoters undertook to operate on members of parliament. A petition was prepared in Toronto and circulated throughout the country. Accompanying each petition was a circular letter in which instructions were given how to get signatures. The petitions were to be signed at the church doors, or to be given to sympathetic merchants, and so on, who would request signatures. Then they were to be sent back to headquarters. In that circular, another instruction was given, and that was to be sure and see your member before parliament meets; it meets on the 15th of November, so see your member and get him to use his active support in favour of the Bill. And remember there was then no copy of the Bill, and no one knew what it was going to be. Later on, the promoters arranged to have a number of letters sent each member from his constituents, urging him to act. I do not know whether any hon. members have received letters of that kind.

Mr. LANCASTER. Lots of them; they all came by the same mail.

Mr. McCOLL. In that the promoters were only following out the original programme. What I say is that a public opinion worked up in that way, and worked up among people who know nothing about the matter, who are not affected or injured in any way by race-meets, is a manufactured public opinion to which we should be careful in giving any weight.

I have taken up much longer time than I intended. There are many things I have probably overlooked, but when we go into committee on the Bill there will be ample opportunity to go into the details. In committee I intend to move an amendment along the lines I have suggested.

Mr. O. J. WILCOX (North Essex). I desire, Mr. Speaker, to make a few observation upon this Bill. Recognizing that I am but a new man in this House, I have refrained from taking an active part in discussion, but as the question we are now considering is one which affects the con-

stituency I have the honour to represent, I could not possibly deem it consistent with my duty to give a silent vote. I may say that I have received communications and petitions containing nearly 600 signatures of the best citizens in the riding of North Essex, nearly 400 of whom are representatives of the agricultural class, asking me, as their representative, to oppose the provisions of this Bill on the ground that they are too drastic.

I have also received a few communications asking me to support the Bill.

At the outset, let me say that I have every sympathy with that class of good and noble citizens who have joined this moral reform association. My hon. friend from South Grey (Mr. Miller), who introduced the Bill in a very able manner, and who addressed us this afternoon with his usual eloquence, complained that the opponents of this measure spoke of him as being narrow, and also stated, that certain references had been made toward Dr. Shearer which were improper. I might, however, remark that I have taken rather an active interest in this question myself, and that the reflection which my hon. friend drew to our attention was new to me. This is the first time I heard it made. While I recognize that the work which the Moral Reform Association is doing is very important, yet I am inclined to the view that it is impossible to make a people moral by legislation. All we can expect parliament to do, is to regulate the evils at the race track. There being no pretense by the Bill to prevent racing itself.

My hon. friend from West Northumberland (Mr. McColl), in the very fair argument which he presented this afternoon, dealt largely with the question from the standpoint of the jockey club and the working out of bookmaking generally. It seems to me that there is one side to which my hon. friend did not refer, and that was the evidence pointing out the fact that the thoroughbred horse is the fountain of light-horse breeding. I concur in the remark of my hon. friend from West Northumberland (Mr. McColl) that my hon. friend from South Grey (Mr. Miller) was not fair in the evidence he submitted this afternoon. When he quoted the evidence of the veterinary director general, Dr. Rutherford, as favourable to the passing of this Bill, I am inclined to the view, from a very careful perusal of that evidence, and from having had the pleasure of listening to Dr. Rutherford when he was before the committee, that Dr. Rutherford's evidence was conclusive that the passage of this Bill would affect, and affect seriously, a very important industry in this country. I desire to quote from Dr. Rutherford's evidence, and I shall not take a clause here and a clause there as it may support the theory I hold or help out the argument I desire to present, but I shall quote from the beginning. Mr. Moss, who was the solicitor representing the horse breeders' associations, conducted the examination of Dr. Rutherford as follows:

Q. What is your position?—A. I am veterinary director general and live stock commissioner.

Q. Of Canada?—A. Yes.

And let me say that Dr. Rutherford does not possess any interest in any jockey club in this country, he has no financial interest in breeding, and, holding the high and important position he does, he would give an unbiassed opinion upon the question which we are considering this afternoon:

Q. How long have you occupied that position?—A. I have been veterinary director general for nearly eight years, not always by that title, and I have been live stock commissioner for three years and a half.

Q. And previous to that did you have experience in horse-breeding?—A. Yes.

Q. I understand, to shorten the matter up, that you have had experience in that business all your life both in the old country and on this side of the Atlantic, and perhaps you will indicate briefly just what that experience is?—A. Well of course I have been connected with horses all my life. I have been a veterinary surgeon for upwards of thirty years. I was for nearly two years manager of a very large racing and breeding establishment in the United States. I have been connected with horse-breeding. I was for five years president of the Horse Breeders' Association of Manitoba and the Northwest Territories. I have bred a number or horses myself and have always taken a great interest in the subject.

Q. At the present time you have no interest—no financial or other interest—in any racing track or anything of that sort?—A. None whatever.

Q. What do you say, Dr. Rutherford, I am going to ask you the question broadly, as to the importance or otherwise of the thoroughbred in connection with the horse-breeding industries of the country?—A. The thoroughbred horse is the foundation of all light horse breeding. Without the thoroughbred horse you can have no really good light horse breeding.

Q. Will you explain a little more fully what you mean by that?—A. Well all our breeds of light horses, with the exception of some of the breeds of ponies in which it cannot be traced, owe their best qualities to the thoroughbred horse. The American bred horse for instance is descended direct from the English thoroughbred Messenger imported during the latter part of the eighteenth century. The Hackney horse owes its best quality to the thoroughbred horse. The great progenitor of the hackneys was a thoroughbred horse also imported about the same time, a horse called Blaze. Take the various breeds of coach horses, both British and continental and they have all been built up by the use of a very strong infusion of thoroughbred blood. The common horses in the country, the half-

breed horses that are for hunting and military purposes in all countries in the world, in the present day owe their best qualities—their excellences, their endurance, their strength and their courage to the use of the thoroughbred blood.

Then, at page 13:

Q. In your opinion is Canada a country that ought to develop a large light horse breeding industry?—A. Yes.

Q. Is it suitable for that purpose?—A. Very suitable.

Q. In what regard, Dr. Rutherford, would you explain that more clearly?—A. Well—

Q. I mean that is your opinion, now give us the reasons for that opinion?—A. Well, we breed in Canada at the present time a very large number of light legged horses, but there are many, a majority of those horses, useless nondescripts, because insufficient care and attention is being devoted to the selection of proper sires for use on the common mares of the country. If we were to use more thoroughbred blood in this country we would have an infinitely better class of light horses for general use. Not only that, we would be doing our share in furnishing our quota of the horses required for military purposes in the event of the empire being engaged in war. That we are not doing at the present time. But we found that there were purchased in the United States during the Boer war something like 113,000 odd horses and mules; they bought in Austria-Hungary a very large number, they bought in Italy, they bought in Spain, they bought in Argentine, they bought wherever they could buy because the Boer republic not being a sovereign power there was no objection on the part of neutral powers to allow the purchase by the British war office of horses in those countries, except on the part of the United States, which, towards the close of the war, summarily ejected the agents of the British war office and told them they must get out of the country and must not come back any more. The other countries however, raised no objection. If this republic had been a sovereign power, Great Britain would have been unable to purchase horses except in her own territory or in that of an ally or friendly nation, with the result that the 800,000 odd horses which were used up in the Boer war would not have been available and the empire would have been seriously crippled.

Dr. Rutherford, speaking on the question of the development of thoroughbreds, also states:

Q. Then is the maintenance of racing necessary to maintain the supply of thoroughbreds?—A. I think it is, absolutely.

I might also quote Mr. Duncan McEachern upon the same point, I might also quote Mr. A. E. Dyment, men which have no financial interest, and are qualified to express an opinion on this question, to back up the evidence submitted by Dr. Rutherford, the veterinary surgeon, and live stock commissioner of this Dominion. Their evidence seems to me almost conclusive that the thoroughbred horse is an important horse, and that he cannot be developed to his best without racing. It would take a great deal to convince me that such is not the fact, because I have bred horses myself. I have to-day on my own farm, horses that furnish living evidence of the truth of Dr. Rutherford's testimony, so it will take a great deal to convince me that the breeding of light horses in this country is not largely dependent upon thoroughbred horses. I may say that I have never in my life attended the race-track, I have never registered a bet with a book-maker in my life. But from the evidence I have seen of the evil which is caused by race-track gambling, I think the situation could be met by an amendment which will be submitted to this Bill. We are in favour of this Bill with one exception. We believe in doing away with the hand-book, we believe in doing away with the communication from the track, but we ask that, as the Bill does not prevent individual betting, it shall simply provide the means of regulating betting. There is no other means, to my mind, that can be adopted to regulate betting without permitting the book-maker to operate upon the track for the number of days which the race is allowed to be carried on. Now let me read one or two communications from the most prominent business men we have in the city of Windsor. Windsor has a population of 17,000 people, and we have had one of those meetings successfully carried on there for the last ten years:

Mr. Oliver J. Wilcox, M.P., Ottawa.

Dear Sir,—As a citizen and business man of Windsor and one who has had considerable experience with the Windsor Racing Association in a business and pleasure capacity, I beg to voice my sentiments in favour of the continuance of this favourable sport. I do not believe there is any organization in Canada to-day that is more exacting and strict in enforcing their code of rules than the Windsor Racing Association. As far as I could observe the meetings have been carried out in the most decorous manner. Drunkenness, rowdyism or anything of this nature. I can safely say would not be tolerated for a moment. In conclusion I feel it only just as a florist to commend the association for the beautiful and well kept grounds and flower beds. The business effect of the meetings is certainly beneficial to Windsor merchants. I am well informed that many thousands of dollars are spent daily in our city to maintain the supplies requisite to the life of men and horses, and as a great deal of our money finds its way to Detroit for pleasure it is indeed a good feature to have something in our city that at least results in bringing some business to our merchants.

I could quote many communications of that nature. Now I desire to read an extract from the Windsor 'Record,' a paper published in the city of Windsor, and which is a leading paper in the county of Essex.

This paper has been in existence in Windsor for a great many years, and I have always known it to oppose anything which is injurious to the public interest. Here is what it says in respect to this particular Bill, in its issue of March 18:

Evils, as they exist in all walks of life, can sometimes, by judicious legislation, be regulated, but not entirely suppressed, without great injustice, and this method is what is required in Canada, so far as protracted race meetings are concerned.

Reflecting men who know of what they speak express the view that the most direct and effective way to ultimate reform would be to materially shorten the meetings, as well of course as to cut out some other admittedly objectionable features.

Were this done it is probable that public opinion would be satisfied to live and let live. There is no doubt that all clubs have raced too much and some of them have far exceeded the limits of what should be a recreation and a healthy sport; but no fair-minded person can honestly say that that is just and sufficent grounds for imposing legislation which will seriously cripple a very important industry of Canada, that of horse-breeding.

One thing is clear to the mind disposed to a reasonable view of the question—it is impossible to have race-meetings without some book-making, and if this feature were suppressed it would simply lead to a condition of evasion such as exists in New York, as clearly appears from the evidence given before the select committee by the officers of the law from that state, as well as the testimony of other reputable witnesses who have been present at race-meetings there, and who have seen betting with unlicensed book-makers going on on every hand, with posters stuck up all over the grounds: 'Betting Prohibited.' In short the Hughes law has largely failed to accomplish what was expected of it, another proof that prohibition does not prohibit and that there are more rational methods of reducing evils of this sort. All will admit, however, that the pool-room and the selling of tips should be absolutely prohibited. If this were done much of the evil justly complained of would be eliminated from the race-track.

So far as concerns Windsor, a place which has had a long and intimate experience with the race-track, there are no complaints. The peace does not suffer to a noticeable extent from the periodical presence of the vast racing colony, and the business of the police court derives no stimulus therefrom. On the contrary these events bring an immense material benefit to the city, stimulating every line of commerce, and it is doubtful if there is a business man in the city who would advocate abolition.

That editorial appeared in the leading newspaper of Windsor. I have, as I stated, petitions from nearly 600 representative agriculturists and business men asking that this Bill be not passed in its entirety. We are perfectly willing to amend the law, and will vote to amend it, but we do think that it would be reasonable to place in the Bill an amendment which would not entirely eliminate that favourite sport. I would quote also from the evidence of John Pender at page 309:

Mr. John J. Pender, called, sworn and examined.

By Mr. Meredith:

Q. What is your position, Mr. Pender?—A. I am the assistant superintendent of Pinkerton's International Detective Agency.

Q. The Pinkertons' International Detective Agency has offices in Canada and in the United States?—A. Yes, we have 21 offices all over the country.

Q. You have 21 offices?—A. Yes.

Q. Has your agency made rather a specialty of the work of detecting gambling on the track and crime of different kinds?—A. We police and control every first-class race-track on this continent.

Q. Now you have an office in Montreal?—A. Yes.

Q. The head office in Canada?—A. Yes.

Q. Have you had occasion to personally visit the different tracks in Canada and in the United States, especially in the United States?—A. I have visited the principal tracks in a professional capacity of the United States and I have also been superintendent of the track at Blue Bonnets.

Q. Now, have you had occasion to visit the tracks in New York since the passing of the Hughes' law?—A. I have.

Q. Will you tell the committee in as few words as possible the effect of the Hughes' law on the attendance, and the class of people attending, &c.—A. As figured by the receipts of the different racing associations. I understand that the figures are that in 1907 prior to the passage of the Hughes' Bill the receipts of the race-track——

By Mr. Raney:

Q. The witness says he understands, could he be a little more definite?—A. Well, it is the published figures given by the controller of the state.

Mr. Raney.—I just want to call attention to this kind of evidence that is all, I am not objecting to it, you understand, Mr. Chairman.

The Chairman.—The committee will hear it.

A. The figures of the controller show that from the tax they paid into the state the receipts in 1907 were $4,000,000, and the receipts in 1908, the first year——

By Mr. Raney:

Q. The receipts for what?—A. The figures I gave were the gate receipts for all the tracks in the state of New York for 1907. In 1908, the Hughes' Bill had just become operative in that year, the gate receipts were $1,500,000, but the receipts for last year had dwindled down to $600,000.

By Mr. Meredith:

Q. As to the class of people attending before and after the Hughes' Bill passing?—A. The class of people who patronize the track has always been very good, but now we are left with a very poor run.

Q. And what have you to say as to the class of horses?—A. The class of horses has much deterioriated, all the good horses practically have been shipped abroad.

Q. And how about the purses?—A. The purses are much smaller.

Q. And what effect has the Hughes' Bill had on the betting? Would you tell the commit-

tee from your personal observation what effect it has had on that?—A. In proportion to the population there is just as much money bet now as ever there was, that is in my judgment.

Q. Does the betting go on on the race-course as formerly, or in other ways?—A. It goes on in a new form, they have what they call the oral betting.

Q. And is the new form of betting worse or better than it was before the Hughes' Bill became operative, in your opinion?—A. In my opinion it is much worse.

Q. What effect has it had on the pool-rooms and the hand-book men and that kind of thing, has it increased their facilities or lessened them in your opinion?—A. It has resulted in a very decided increase among the pool-rooms, particularly in New York city.

Q. Now does your agency act in the different cities in Canada for large corporations, large companies?—A. It does.

Q. And does it act similarly in the United States, I do not want to go into particulars?—A. Yes.

Q. And if there is a Bill before this committee which allows apparently according to the understanding of the chairman at all events, individual amateur betting on the race-course, but will have the effect of prohibiting licensed book-makers on chartered race-courses, would you state your opinion as to what will result if such a law is passed? Will it ameliorate the so-called moral evil, or will it increase it?—A. In my opinion it will increase it.

It seems to me that we can attach some weight to that evidence. It is that of a man who is acting in the capacity of a detective, whose duty it is to see that the law is lived up to, and when he came before our committee, and gave evidence to the effect that the passing of the Hughes law, or the passing of this Bill in its present shape, would make conditions worse than they are to-day, it seems to me that we should consider our course carefully.

I desire to place on 'Hansard' a clause of the petition which I have received from nearly 600 of the residents in and around the city of Windsor where the Windsor races are carried on. This petition says in part:

> There is a race-course in the township of Sandwich West in this county, equipped in first-class condition in every respect, and everything is conducted in a manner to recommend it to the public. To the farmers of the county the races conducted there are of great value by affording a ready cash market, at best prices, for their produce and at a time when it is needed.

And that petition is signed by nearly 400 farmers right in the vicinity where that race-meet is carried on. The petition continues:

> It is intended to use the race-track premises for an annual agricultural exhibition, and if racing is impaired the premises cannot be obtained for that purpose.

Mr. WILCOX.

I desire to refer to some of the statements of the learned gentleman who appeared in support of the Bill, Mr. Raney. I am not a lawyer, I am a layman, but I always understood it was the duty of a lawyer to do his work to the best of his ability for his client. I would be inclined to the view that Mr. Raney would not be doing his duty if he did not do his utmost for his clients in this case, and I believe he did. I understand that when in any case of law a solicitor finds upon the private examination of a witness that the witness is going to give evidence that is not in favour of his case, the solicitor would be likely to say to the witness: Go home, I do not think I will need you. The point I am coming to is this: In the argument issued by Mr. Raney—and with due regard to that gentleman, if I were a solicitor probably I would have done exactly as he did, but I doubt it—in Mr. Raney's argument at page 13 which he published in February, 1910 under the heading Fort Erie and Windsor, he makes this statement:—

> The men who control these tracks have been careful to keep themselves and their account books and their money books away from this committee.

Now, Mr. Hanrahan, the secretary of the Windsor Track Association was present and Mr. Raney examined the books of Mr. Hanrahan, and he received such information from them that he told Mr. Hanrahan to go home, that he would not need him to give evidence, and that notwithstanding the fact that he himself had subpœnaed him to Ottawa. And, after receiving that information Mr. Raney in this argument made statements that are absolutely contradicted by the information given to him by Mr. Hanrahan.

Mr. LANCASTER. Perhaps that is what he calls social reform.

Mr. WILCOX. Possibly it is. Mr. Raney made this statement:—

> The men who control these tracks have been careful to keep themselves and their account books and their money books away from this committee. Being foreigners they are not personally amenable to the jurisdiction of this committee.

Now, the fact is that the original shareholders of the Windsor Fair Grounds and Driving Park Association were a number of residents of Windsor, Walkerville and Sandwich, among whom were such men as W. J. McKee, ex-M.P.——he was very nearly being a real M.P.——

Mr. LANCASTER. A miss is as good as a mile.

Mr. WILCOX. Yes. The original shareholders comprised such men as W. J. McKee, Francis Cleary, ex-mayor of Windsor, F. H. Walker, of Hiram Walker & Sons,

Hon. J. C. Patterson, Solomon White, ex-M.P., John Curry, banker, and 40 other men of this locality. The track is now controlled as given in Mr. Hendrie's statement, by the Windsor Fair Grounds and Driving Park Association, of which the following are members: George M. Hendrie, W. J. McKee, W. J. Pulling, E. S. Wigle, and J. A. McKay, all of Windsor and W. O. Parmer. The statement made by Mr. Raney that this track was owned by foreigners and that they could not be found was therefore made absolutely without foundation. In view of the information at Mr. Raney's disposal, it is unfair to this House that he should make such a statement.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

Mr. WILCOX. Mr. Speaker, before recess I was speaking of the men who own, and control the Windsor race-track. They are W. J. McKee, ex-Member Parliament, W. J. Pulling, E. S. Wigle, and J. A. McKay, all of Windsor, Ontario., W. O. Parmer and George M. Hendrie. Mr. Raney, in his argument, states that this track is owned and controlled by refugees from the other side. I desire to say that you cannot find within the confines of this Dominion any better citizens than the men whose names I have just mentioned. At page 33 of Mr. Raney's argument, he says:

> The facts, so far as the trotting association are concerned, being thus reduced to a negligable quantity, there is nothing to argue about under this heading, and we may dismiss the trotting horseman.

During the years 1904, 1905, 1906 and 1909 the trotting meet in Windsor received from the book-makers $19,747, and paid out in purses $31,815. These purses could not have been paid had it not been that book-making, and betting were allowed on the track, and if book-making is prevented, it will certainly do away with these races. In Mr. Raney's argument in pamphlet No. 2, he states, at page 8, under the heading 'No Argument from Fort Erie or Windsor,' as follows:

> The Windsor track has been operated by the Highland Park Club of Detroit since the prosecutions instituted by the district attorney in 1906, which put an end to its gambling operations at the Highland Park track out Woodward avenue.

From the very best information that I can get on the subject, I am inclined to the view that Mr. Raney is entirely mistaken. It is stated that the lease of the Highland Park Club expired on the 1st of May, 1906, and a renewal could not be obtained. On March 23, 1910, Mr. George H. Hendrie received the following communication:

> Dear Sir,—In reply to your inquiry, would say that the lease of lots 6, 7, and 8 of section C. of quarter-section 4, 10,000 acre tract, between the trustees of the estate of the W. H. Stevens and Highland Park club expired on the first day of May, 1906, and that under the conditions of said lease or agreement said club had a right to remove the buildings situated thereon, and I am informed and believe they did remove the same during the fall and winter of 1905 and 1906. The premises above described were commonly known as the Highland Park club. I may add that after the lease expired the property was placed upon the market for sale.

So that it would appear that Mr. Raney's statement to the effect that this track was operated by Americans, and that they were compelled to move to this side because certain laws were passed on the other side, is not based upon facts. Upon page 7 of the printed proceedings of the committee, Mr. Raney states:

> There is a broad line of demarcation separating these tracks into two classes, and I may perhaps classify them in this way; on the one side of the line are the Woodbine, the Montreal track and the Hamilton track. On the other side of the line of demarcation are the Fort Erie track, the Windsor track, the British Columbia track. These tracks are divided, as I say, by a line of demarcation, and I will define at once what that line of demarcation is. To illustrate it, I will refer to two tracks—the Woodbine on the one side and the Fort Erie on the other as types of these two classes. Now the Woodbine race meet is essentially a social and sporting event, attracting many of the best people of Canada, with race-track book-making as an attraction and as a principal financial support.

Further on Mr. Raney states:

> The evidence will show that the attendance at these tracks, especially Windsor and Fort Erie, is from 79 to 75 per cent American, the managament entirely American.

I desire to say, Mr. Speaker, that that statement is not in accordance with the facts. The Windsor track is operated, and controlled by Canadians exactly as the Woodbine track is owned, and controlled by Canadians. Mr. Raney says that 'the Woodbine race-meet is essentially a social and a sporting event,' so is the race-meet at Windsor. With regard to the provisions of this Bill, I am inclined to the view that if it is not amended in some respects, the operation of it will be very much like an amendment that was made a few years ago in the Ontario Agriculture and Arts Act. I had the privilege of acting in the capacity of one of the executive officers of the Association of Fairs and Exhibitions a few years ago, when there was a good deal of argument upon this very question. A clause had been placed in the Ontario Agriculture and Arts Act prohibiting rac-

ing at agricultural fairs throughout the province, of which there are 367. The Act provided that any agricultural society which held a race-meet at its agricultural show, contrary to the provisions of the Act, would not receive the government grant. Well, Sir, there is not an agricultural society in the province of Ontario to-day that does not hold exactly the same race-meet at its annual exhibition that it did previous to the passing of that Act. The management of those fairs simply insisted on adding what they called 'trials of speed,' but which were really race-meets. So that the very same racing which was carried on previous to that legislation is carried on to-day; and we may conclude that public opinion in this country is so strongly in favour of horse-racing that the provisions of this Bill, if adopted, will be evaded in some such way.

In conclusion I wish to read a statement from the chief of police of the city of Windsor:

I hereby beg to state that the horse races at the Windsor Racing Association's race track, have been conducted in a proper and orderly manner. I have frequently visited such races with the view chiefly of obtaining a knowledge of the people who attended there, the manner in which they behaved and of the way in which the races were conducted in general. I have also, at various times, visited the fairs held at Toronto, Ottawa and other places, and to my knowledge, from such observations, the people who have attended the races here behaved themselves equally as well as those who attended the fairs, and in all, I have to state that the race meetings were as orderly and fully as well conducted as the fair meetings. Furthermore I have to state that during the race meetings here an average of 3,000 people attended the races daily, yet the records of the police department show that the number of offences committed in Windsor during any such race meetings is not in excess of the number committed in any similar period of time when races were not held here.

E. WILLS,
Chief of police.

While I am entirely in sympathy with the moral reform association, which has made its influence felt upon this question, I am inclined to the view that the legislation proposed goes just a little too far. There have been, in my opinion, excesses under the present law, I believe there is a certain amount of disorder which should be prevented, and I believe it would be possible to amend that law so that these abuses would be avoided, and at the same time certain very important interests in the country would not be injuriously affected, the ends of sport met, and a very great improvement brought out in the direction in which my hon. friend from South Grey seeks to legislate. But I am at the same time strongly of the opinion that if our young men and women will not be guided by Christian teaching and moral ethics, it will be impossible to make them respect such teaching and ethics and control their acts by legislation. While I am in favour of the principle of the Bill in many respects, I would desire to see an amendment adopted which would not entirely eliminate those meetings, and having due regard for all the interests connected with the matter I believe that is the proper course to take.

Mr. W. M. MARTIN (Regina). As one of the members of the committee who supported the measure, I consider it my duty to give reasons for the course I have taken. At the outset I want to make myself perfectly plain with respect to one aspect of the Bill which, I believe, is appealing to a good many who are opposing it. I refer to the question of the rights of the private bettor. I am absolutely in favour of some amendment which will make it certain that these rights will not be interfered with. first because such legislation would be an unwarranted interference with private rights, and secondly because such a law could not be enforced. There is an amendment proposed in the committee by the hon. member for Northumberland (Mr. McColl) providing for the protection of the private bettor, but, in my opinion, that would have rendered the whole purpose of this Bill void, and for that reason it was opposed in the committee. But if any amendment can be suggested to protect the private bettor, I shall be in favour of it. I do not think that this Bill will interfere seriously with these rights. I know that the hon. the Minister of Justice (Mr. Aylesworth) gave an opinion, on the second reading, to the effect that the Bill might interfere with these rights, but I cannot share that view. At the same time I should be in favour of an amendment which would protect the private bettor without destroying the Bill.

In discussing this measure, there is no need to enter into the question whether betting in itself is wrong or right. The only question to my mind is whether we are in favour of permitting book-makers to operate on race tracks. If I understand the principle of the English law which was acted on by this House in 1892, when it passed the Criminal Code, the motive which led to the passing of these measures was the belief that the business of book-making on race-tracks created an appetite for gambling. I have heard it stated by an hon. gentleman that it was in the nature of the Anglo-Saxon to bet. I believe that statement will be found in the evidence. Well, the book-maker caters to that appetite and becomes a public nuisance; and as soon as that stage is reached, it is the

duty of parliament to prevent that business being carried on at the various race-tracks.

My hon. friend from Northumberland (Mr. McColl) said that the promoters of the Bill were attempting to interfere with an innocent pastime. For my part, I have always been in favour of innocent pastimes, but I do not favour a pastime when it degenerates into professionalism. Horse racing, as practised in Ontario and other parts of Canada, has simply become professionalism. There is no desire on the part of those who support this measure to interfere with legitimate sports. My hon. friend from Northumberland (Mr. McColl) argued that Japan had abolished betting on the race-course and book-making, and after one year's experience had gone back to the old system. Now, the state of affairs in Japan is not that conveyed by the remarks of that hon. member. I have here the weekly report of the Department of Trade and Commerce for March 14, 1910, and, for the purpose of putting this question right, I read a brief extract from that report:

The government of Japan realizing that their cavalry was not as effective as it should have been during the Russian war, and that the main cause was the unsuitable class of horses used, has been trying to improve breeding by encouragement in several ways. Until 1907, the race clubs in Japan were very successful. They used the 'pari-mutuel' system of betting and large profits were made. In consequence of this, numbers of thoroughbreds, stallions and mares were brought into the country for the meets, and with the exception of the best, were all sold ultimately for very low prices. In this way the Japanese farmers obtained a great number of good horses very cheaply, with the result that through the country the improved results in breeding can already be seen. However, in 1907, the authorities deemed it wise to forbid gambling of any kind at race meets. The race clubs are now in a bad position financially, but at the same time the government recognized the value of these clubs and the service they were doing in improving the breeding. This year several of the largest clubs are receiving a subsidy in order that they may continue importing thoroughbreds and Australian mares.

If this statement means anything, it means that the government of Japan, rather than go back to the old system of the book-maker, and betting on the race-track, is willing to give subsidies to the race-meet in order to develop the horse-breeding industry.

Mr. McCOLL. If the hon. member (Mr. W. M. Martin) will refer to the evidence of Major William Hendrie, of Hamilton, he will see that it appeared from that evidence that what the Japanese government had done was to appoint a commission to visit the different countries of Europe to ascertain the systems of conducting their race-tracks with a view of introducing some system of betting upon the tracks in Japan.

Mr. W. M. MARTIN. Now, the hon. member for North Essex (Mr. Wilcox) devoted a considerable part of his remarks to a defence of the Windsor Racing Association. I may say, as a member of the committee, that efforts were made by persons appearing before the committee in support of the Bill to get some one representing the Windsor Racing Association to appear before the committee, and give us evidence as to their dealings on that race-track, but we were not successful; no one appeared. Consequently, we have no information about that association, we have no statement of its financial operations such as we have concerning the Hamilton Jockey Club, and the Ontario Jockey Club. Our only course then, is to class that track among more doubtful race-tracks of Ontario.

Let me refer to some of the main contentions put forward by men opposing the Bill. The first contention, as any one will see who takes the trouble to read the evidence, is that the thoroughbred strain is important in developing the breed of horses. That was admitted by the committee after the first evidence had been put in. There seemed to be no dispute on the point. The second proposition was that racing is necessary if the breed of horses is to be improved; the race-course furnishes the indispensable test by which the relative merit of different strains of blood can be ascertained. This proposition is probably correct, though, on the evidence brought before us, only partially correct. It is correct if you mean the development of mere race horses, for a certain amount of evidence was given before the committee to show that the present system of racing was not really a proper test, and further evidence was given which would go to show that the racing of horses on the track leads to the development of what has been called an 'attenuated racing machine' and nothing toward the development of the general utility horse of the country. The third proposition put forward is that book-making is necessary to maintain racing; without it purses would not be sufficient to encourage breeding, for the revenue derived from the book-makers would cease, and gate receipts would greatly diminish. With that proposition, I, as a member of the committee, could not agree, because evidence was put before us to prove, and we all know as a matter of fact, that horse-racing was carried on successfully in Ontario, and other parts of Canada before the book-maker came into existence, and the same is true of England. Furthermore,

horse-racing is carried on in certain provinces of Canada to-day without the aid of the book-maker. I understand, from the evidence given by a man who came from Nova Scotia that there is no such thing as a book-maker operating in that province, and his evidence would lead me to believe that horse-racing is successfully carried on, and that they have as good horses in Nova Scotia as in any other province of the Dominion.

One peculiar feature of the opposition to the Bill which struck me, was that there was not a solitary farmer, or any representative of a farmers' organization who appeared before the committee to oppose the passing of the Bill. On the contrary, every man appearing before the committee whom you could count as representing the farmer's interest favoured the Bill. And every farm journal in the province of Ontario, so far as I have been able to find out, is in favour of the Bill. In order to show to the House my position on this phase of the argument, I am forced to ask the indulgence of the House while I read two or three extracts from different farming papers, and also from the evidence. The 'Farmer's Advocate' of December 16, 1909, said:

An anti-gambling Bill has been introduced into the Dominion House of Commons by H. H. Miller, M.P. for South Grey, one of the members of the House of Commons who seem to esteem it their duty to represent the agricultural community. The Bill has been sent on to a special committee, where the old, exploded arguments are being brought up that book-making is necessary to maintain racing, and that racing is necessary to encourage horse-breeding. More absurd fallacies have rarely been offered for the public to swallow. In the first place, it is not true that racing is necessary to improve the breed of horses. On the contrary, it has probably done more to injure two breeds than it has done to improve them. It has converted the standard-bred or the stock from which it has sprung, into an attenuated racing rachine, not nearly so valuable for utility purposes as though it had been bred with more regard to conformation and scale. Undoubtedly, racing focussed early attention upon the breeding of the blood horse, and perhaps helped to develop it by the selection of the fittest, but here again, has it not tended to produce a race of weedy, hot-tempered, and dubiously useful stock? What has racing done to improve the breed of clydesdales, shires, hackneys, or, in fact, any of our most useful breeds?

And 'Farm and Dairy' of December 23rd says:

The Bill does not make any attempt to interfere with private betting, but only with the business of book-making and pool-selling. Opposition is being raised to it on the ground that it will tend to discourage the breeding of good horses, the claim being advanced that horse-racing cannot be conducted successfully without book-making.

As far as the farmers of the Dominion are concerned, ten have been injured to one that has been benefited by attempting to raise fast horses. The enormous expense that is involved in the handling of those animals makes it an impossibility for the average farmer to raise such horses with success. Efforts to encourage farmers to raise this class of horse should be discouraged rather than encouraged.

And the 'Weekly Sun', of Toronto, of December 15th last, says:

It may be that the maintenance of race meets is necessary if the breeding of horses of the kind used at these meets is to be kept up. But no really useful purpose is served by breeding horses of that class.

The rest of the article corroborates that which I have quoted from 'Farm and Dairy'. With respect to the men who represented the farming interest, and who gave evidence before the committee, I need only mention three names, the Minister of Agriculture (Mr. Fisher), Senator Douglas, of Saskatchwan, and Mr. Peter Christie, from South Ontario. These men expressed the opinion that the passing of this measure would not injure horse-breeding in this country. I will refer first to the evidence of the Minister of Agriculture on that subject. He said:

Although I am not what would be called a frequenter of race-tracks, still I see the race-horses of the country pretty frequently and in various ways, and my observations of the race-horse, as trained and raised in Canada, is that the large majority of them do not fulfil this condition which I think is necessary for the improvement of stock in Canada, that the large majority of them are weedy in character and fitted only for speed, and that the use of such animals for the improvement of our breeding stock is not likely to be conducive to its improvement. There are thoroughbred horses in Canada which would improve that stock very much. Some of them may be race-horses, but the class of animal that I would like to see introduced into Canada for the purpose of improving the mares of the country for breeding purposes is the stamp of horse to which the King's prizes are given in England, a horse which very seldom goes on to the race-track and is not considered by the racing men, and the men who breed thoroughbreds for racing purposes, at all a style of stallion which they want and which they use.

Then there is the evidence of Senator Douglas, to which I need not refer. I have said that he was of the opinion that the passing of this Bill would not interfere with horse-breeding. Now the evidence of Mr. Peter Christie is very important along this line, because it goes to show that in his experience no farmer who ever had anything to do with thoroughbred horse-breeding ever made any money out of it, and his experience was that the breeding of the ordinary mares to thoroughbred horses had not developed the ordinary farm utility

horses to the advantage of the farmers of the country. I will read an extract from Mr. Christie's evidence:

Will you tell me what your view is as to the relation of the thoroughbred to horse-breeding in general as an economic factor and from the farmer's point of view?—A. From the farmer's point of view, I do not think he ever wants to go into racing thoroughbreds, because a farmer in my county at least does not farm for fun. He wants to make money out of it, and my experience and my knowledge of my surroundings is that the draught horse, the Clyde horse, is the profitable horse for a farmer to raise.

Q. You say that the farmer does not want to go into the raising of thoroughbreds. Do you mean that it is not a profitable business to breed his mares to thoroughbred sires?—A. No, sir, I could not.

Then he goes on to say:

What is the experience of the farmer who has raised animals of this class, thoroughbred animals, so far as the price he gets for them is concerned?—A. If he happens to get a good one he will perhaps get a good price for it, but the difficulty I have noticed is that they only get a seller perhaps one in five or six that will bring a big price, and then the ones that won't bring a good price is not nearly as good a horse for the farm as if he had been a Clyde or a draught horse.

Q. Then if there is a good price paid for that horse is it the farmer or the middleman who gets it?—A. My experience is that the farmer don't get the good price, it is the middle fellow, we call him the sporting fellow, who makes his living out of that sort of thing.

Now, it seems to me that if the passage of this Bill would be such a menace to the horse-breeding interests of the country, surely some farmer, or some farmers' organization interested in the development of horses, would have appeared before the committee to protest against the Bill. We find that the opposite is the case. Every man who spoke for the farmers, spoke in favour of the Bill.

A great deal is made out of the argument that by passing this measure you will interfere with large vested interests. Let us see for a moment what those vested interests are. They divide themselves into two clases. The first vested interest is that of the race-track, and the grand-stand, or what you might call the whole racing plant. Secondly, there is the money that has been invested by horse-breeders in thoroughbred horses and racing horses. There are a number of men in the province of Ontario and in other provinces of Canada who have invested money in the purchase of good stock with which to develop race horses. So we have those two classes of vested interests to deal with. Now, so far as the first class is concerned, I do not believe the passing of this measure will interfere to such an extent with vested interests as was stated by some of the horsemen before the committee. But, granted that it will interfere with the money invested in race-track and racing plants, what do we find to be the fact with respect to these vested interests? As I have said, we have no financial statements from any of the jockey clubs except those of Hamilton and Toronto. If you look on pages 93 and 94 of the evidence, at the evidence of the secretary of the Hamilton Jockey Club, Mr. Loudon, you will find that they had an actual investment of some $4,000. According to his statement, the assets of the club are now worth $175,000, with $50,000 cash in the bank after a very few years of operation. Now, in respect to the Hamilton Jockey Club, there was some hint before the committee that a large amount of money was invested by men in Hamilton prior to the organization of this jockey club, but there is no definite evidence on the subject, and I am forced to accept the evidence of Mr. Loudon on page 93. We find that from a total investment of $4,000 in this club, their assets have grown to an amount of $225,000 in a very short period of time. Then we find that the receipts of the club in the year 1909 were made up as follows: Gate receipts, $59,405; advance information, $78,800; the bar, $3,850, making the total receipts under these three heads of about $140,000. They paid in purses, $79,850, in 1909. In the Ontario Jockey Club we find a somewhat similar condition of affairs. The total paid-up stock is $10,000. Their net surplus, according to a statement produced before the committee by their secretary, is $337,846, and that is taking the property of the club at its actual cost. I have heard the property estimated at various amounts, but I think a fair valuation is about $500,000. Now suppose that, by the passage of this Bill, these racing clubs were put out of business, to what extent would it interfere with vested interests? Their property can be sold for everything it has cost, and the land itself can probably be sold for twenty times what it originally cost. I submit there is no argument at all in the cry that vested interests will be injured, so far as the money put into these race-tracks is concerned. Then there is the other side of the vested interest question, that is, the horse breeders' side. Now so far as I am concerned, and I am sure that is the opinion of every supporter of this Bill, we would be sorry to think that men who have invested money in thoroughbred horses would be put out of business by the passage of this Bill. But I do not think they will, because as I stated a few minutes ago, horse-racing existed long before book-making, and perhaps in a more healthy condition than at present. The majority of horse-breeders in Ontario and the other provinces, particularly in Manitoba,

who appeared before the committee, agreed in saying that if the Bill passed, they would all close their stables. I would be very sorry to think that such a result would follow the passing of this measure. I find, however, there was one horseman, the Hon. Adam Beck, of London, who said that he would not close his stables if the Bill passed. I will read his evidence on the question:

One or two horsemen have given evidence that if professional book-making were stopped on the race tracks they would close their stables for breeding, would you go as far as that yourself?—A. No, I would not say I would go as far as that, that is entirely a matter of whether a man is in it for gain or not. You cannot expect people to do anything for fun any more in horse-breeding than you can in anything else. Farmers are not breeding horses for fun but to make money out of it.

There is this fact, however, to be considered. Most of the horsemen who gave evidence before the committee, and others with whom I have conversed, say that there is no money in breeding horses. So, if there is no money in the business, who can be hurt to any great extent by the passing of this Bill?

Now a great deal was made out of the argument of the committee by lawyers representing the racing associations, that in the state of New York the price of race-horses has gone very low, the price of thoroughbred horses is very much depreciated since the passing of the Hughes law. On that point Hon. Adam Beck did not seem to agree with his fellow horsemen: He said:

Q. Do you know whether, since what is known as the Hughes' law was passed, there has been any depreciation in value of the first quality of thoroughbred horses in New York State?—A. The first quality.

Q. Yes.—A. Probably the first quality of horses of any breed at the present time is as high as I have ever known it to be in all countries.

Q. I am told that the first quality of thoroughbred horses in New York state commands to-day a higher price than ever before. —A. That is probably correct.

Q. Then it is said that some stables in New York state have been closed as a result of the Hughes' law.—A. I know nothing about that.

So, whether the Hughes law in New York state has had anything to do with the price of horses there we are unable to say, but it is in evidence that the price of that class of horses in New York is as high at present as ever it was. It is a question in my mind, in fact I am rather inclined to the opinion that a race-horse that is sold for some $10,000 has a fictitious value. No horse in my opinion—although I cannot speak as a horseman—can be said to have an economic value such as $10,000. It may have that value on account of its earning power in winning races. It is always questionable whether a fictitious value of anything is a good thing.

Mr. TALBOT. Has my hon. friend ever heard of a cow being sold for $20,000? Is that a fictitious value?

Mr. W. M. MARTIN. From the actual earning power of a cow that would be a high price.

Mr. TALBOT. Lots of them are sold at that price.

Mr. W. F. MACLEAN. Half a dozen winners of the English Derby have sold for from £10,000 to £50,000 for breeding purposes. The state of France have paid that, the Austrian government have paid that and winners have been taken to Russia, Australia and the Argentine for breeding purposes. They had these values and their being used for breeding purposes proved it, and the greatest regret of Englishmen was that these horses were taken from their country.

Mr. W. M. MARTIN. That bears out one argument I was advancing that a horse has a fictitious value on account of its power of winning victories on the race-track.

Mr. W. F. MACLEAN. It was to improve the breed of horses in the countries to which they were taken.

Mr. W. M. MARTIN. I am quite satisfied to let my hon. friend purchase any of these horses at that figure. The question of vested interests so far as the money invested in horses is concerned, resolves itself into a very small one, for you must admit that the thoroughbred interest in Ontario and Canada is very small, and the number of men who would be affected by this legislation, if it were to have such an effect as is suggested, would be very small. In Ontario, according to the report of a commission appointed by the Ontario government in 1906 to investigate the question of the licensing of stallions, there were only 78 thoroughbred stallions in the province, or 3 per cent of the entire number of stallions. There were only 2,273 thoroughbred mares in the province, or 1½ per cent of the entire number. Thus racing in Canada since the establishment of the Queen's plate in 1861 has not done much to develop the thoroughbred interests if we judge by the number now in Canada. I am informed that a similar condition of affairs exists in the United Kingdom. A year-book published in 1910 by the 'Live Stock Journal', the leading live stock paper of Great Britain, contains an article entitled 'Horses for the Army', in which it says:

There can be no doubt that horse-breeding has been declining for some years in the United Kingdom.

Both in this country and in England races have been carried on under the good influences of the book-maker during all these years. I have shown you what has been done in Ontario since 1861 towards increasing the number of thoroughbreds, and to show that in England racing has not done very much to develop the breed of horses I have quoted this article which says that the breeding has been declining for some years there.

The question of whether betting in itself is right or wrong is not before the House with respect to this measure, it is merely a question of whether we consider that a public evil exists in connection with the present practices on race-tracks, and whether we are in duty bound to protect as far as possible the public from that evil, if it is to be so considered. I agree to a great extent with what may be said by many members who think that if a man wants to bet he should be allowed to bet, but should do so in a proper way. What I do object to is allowing book-makers to come on the track, pay for their privilege, and take money from the people for nothing. The evidence showed that a tremendous amount is taken annually from the pockets of the people of Canada, and absolutely nothing given in return. In my mind a book-maker is nothing more nor less than a parasite and when he is allowed to practise his calling in the open, and people are allowed to flock there, and invest money with him he becomes a public menace, and it is something to which this House should devote attention with a view to his prohibition, if that is possible. I do not want to get into any discussion of the ethics of gambling, but I do wish to read to the House an expression of Herbert Spencer with respect to gambling. It is a question which must be left largely to the individual conscience of each man. It may be right under certain circumstances for a man to bet, and wrong under certain circumstances. Herbert Spencer says:

> Listen to a conversation about gambling; and, where reprobation is expressed, note the grounds of the reprobation. That it tends towards the ruin of the gambler; that it risks the welfare of family and friends; that it alienates from business, and leads into bad company—these, and such as these, are the reasons given for condemning the practice. Rarely is there any recognition of the fundamental reason. Rarely is gambling condemned because it is a kind of action by which pleasure is obtained at the cost of pain to another. The normal obtainment of gratification, or of the money which purchases gratification, implies, firstly, that there has been put forth equivalent effort of a kind which, in some way, furthers the general good; and implies, secondly, that those from whom the money is received, get, directly or indirectly, equivalent satisfaction. But in gambling the opposite happens. Benefit received does not imply effort put forth; and the happiness of the winner involves the misery of the loser. This kind of action is therefore essentially anti-social—sears the sympathies, cultivates a hard egoism, and so produces a general deterioration of character and conduct.

With that expression of Herbert Spencer I thoroughly agree. I think it sets forth splendidly the injury or deterioration that may come to the character of any individual who practises gambling to excess. It has been said that betting on horse-races is not gambling, I agree that a man may be a bettor, and not a gambler. At the same time the legal definition of gambling as far as I can gather is really the same as a definition of betting. In the work 'Words and Phrases Judicially Defined,' volume 4, gambling is defined as follows:

> Gambling is the risking of money or anything of value between two or more persons on a contest of chance of any kind where one must be the loser and the other the gainer.

Betting is defined:

> Betting on a horse-race is gaming within the meaning of a statute providing for recovering back money lost in gaming.

There is no question that the great majority of people who bet on horse-races do not do so with any skill or exact knowledge of what qualities the horses possess. As far as I have been able to gather from my observation of horse-races the average man who bets on a horse-race, bets and nothing more. He knows nothing about the horse, there is no skill involved, and to my mind there is no question that betting on horse-races, when practised to excess at any rate, is gambling as here defined.

It is stated that the public get a fair chance with the book-maker. We had very little evidence from the book-makers before the committee. We had the evidence of Mr. Orpen, of Toronto, who has been in the book-making business for many years. This is what he said:

> Q. Will you tell me what you mean by book-making? How would you define book-making?—A. Book-making is a business, it is a matter of figures, of handling money at different prices so as to figure out a percentage for the book-maker.

There is no question at all but that the book-maker always makes the odds, and if he cannot win on one basis he changes the odds to another on which he is sure to win. The dice are loaded against the public on every occasion. As to the amount of money bet on the race-tracks in Canada every year reliable evidence is not obtainable. Mr. Orpen produced before the committee cer-

tain book-making sheets which he had used on the race-track, and these sheets showed that $850 on the average was bet on each race and, there being six or seven races per day each book-maker handled about $5,000 per day. It has been found that about $450,000 was paid to the racing associations during 1909 by book-makers, and making a rough calculation I find that the total amount bet on the race-tracks in 1909 was $22,500,000. We have no means of estimating what was the profit or loss to those who bet with the book-makers but the evidence is clear that the man who bets continuously always loses. For instance, a Toronto butcher deposed that he lost $1,000 for the last 10 years betting on races and that he knew hundreds of men like himself. I should say, in order to be perfectly fair, that some members of the committee at all events were disposed to take the evidence of men of that type with a grain of salt, but at the same time I am disposed to believe his statement that he lost $1,000 a year.

Mr. McCOLL. Did he pretend to say he lost it on the race-track or did not his evidence show that he was a frequenter of the pool-rooms and that it was there that he lost most of his money?

Mr. W. M. MARTIN. My recollection is that he said he lost $1,000 a year on the track.

Mr. McCOLL. No, and he also stated that he bet on everything that was going, prize fights, and chicken fights, and although he had taken a pledge not to gamble for a year he reserved to himself the right to bet on the prize fight next July.

Mr. W. M. MARTIN. All that goes to show that this Toronto butcher who said there were hundreds like him contracted the spirit of the race-track. He stated before the committee that he was a reformed man and that he was not going to bet again but that the last betting he did was on the ice races at which he lost some $70 or $80, and he further stated that he had lost a similar sum at the meeting of the Hamilton Jockey Club last fall. The most regrettable feature in the betting business is that the people who do the betting come from the class who cannot afford it. If a man could afford to bet without doing an injury to his business or to himself or his family I do not know that very much harm would come of it, but the trouble is that the great toll taken out of the people of Canada every year by the races, comes from the poor people and from a class who have not sufficient control over themselves to stop betting even though they know it is injuring themselves and every one connected with them. I have here further testimony which goes to show that the odds in betting, whether with the book-maker or in the pool-room, are always against the public.

Canon Horsley, ex-chaplain of the Clerkenwell prison gave evidence before the Lords Committee in 1902, as follows:

Earl of Aberdeen:—Did you take the prophecies from one of the well known sporting papers?

Answer:—From all of them. I have here a case in which seven sporting papers gave 79 horses; in 74 cases their prophecies were wrong. Another case I have is a case where the 'Standard' selected 79 horses for 179 races; 155 were wrong and 24 right. Some sporting paper sneered at that and said that this particular prophet did not know very much about his business. Then I took the chief sporting papers. They had seven races that week and gave 45 horses, of which 40 were wrong; another week they gave 47 horses, 46 wrong and one right. Then to take a longer period of a month, there were 156 races for which six sporting papers gave 898 horses, out of which 777 did not win. This is the sort of thing I constantly do because I have found with intelligent young men that is the best argument when I say 'You know nothing about a race,' and they answer, 'No, but so and so does, therefore I follow him.'

A great deal is made out of the argument that we should follow the law of England in respect to betting, and while I am always disposed to look with favour on English precedents, yet I am bound to say that if there be a law in the United States which is better than the law of England, I see no reason why we should not take the example of our neighbours to the south. At all events, this is not a new subject for legislation. The Criminal Code at present covers almost everything intended to be covered by this Bill except the permitting of betting on the race-track, and that of course, is the principal issue here. The English statute of 1853 which was practically adopted in sections 226 and 227 of our Criminal Code was directed not against betting but against those who made a business of betting. A decision of 1897 in the case of Hawke against Dunn declared that book-making on the race-track was illegal and the decision practically drove the book-maker out of business, and it remained the jurisprudence of England for many years. Then, what is called a friendly action was taken by men interested in the business, and the result was what is known as the decision in the Kempton Park case which has given rise to the anomalies existing in our Criminal Code at the present time, and which has had a great deal to do with the agitation for this legislation.

There can be no question in the mind of any one who reads the evidence brought before the committee that many men have been practically ruined on the race-track. It is said that these men

would go wrong any way, that if they cannot control themselves on the race-track they cannot elsewhere. To a certain extent that may be true, but there are instances of men having been led astray and practically ruined on the race-track. In corroboration of that statement, I can refer to statements of a number of eminent English judges.

Mr. Justice Hawkins says:

I know nothing more likely to ruin a young and inexperienced man than the system of betting which goes on around us.

Mr. Justice Grantham:

Gambling with book-makers is the cause of more crime and misery than anything else in the land.

Mr. Justice Darling:

No one could attend the civil and criminal courts without knowing that many persons spent a much larger amount of time in betting than they devoted to their own business.

Lord Alverstone:

Sport never ought to be by necessity associated with gambling or betting. Those who had to do with the administration of the law knew that there was nothing in their great towns, and he was afraid in the smaller ones too, that brought more people in the humbler walks of life to misery and ruin than the betting agents.

Mr. Justice Wills:

When I first came upon the bench I used to think drink was the most fruitful cause of crime, but it is now a question whether the unlimited facilities for illegitimate speculation on the part of people who have no means of embarking on it are not a more prevalent source of mischief and crime even than drink.

Mr. Horace Smith, London stipendary magistrate:

Nearly every case of embezzlement I try has resulted from betting, and then to pay their losses they rob their employers.

We also had submitted to the committee the presentment of the grand jury of the county of York for June, 1909, and a presentment of the grand jury of the same county for September, 1906, to the same effect.

The opponents of the Bill with one accord say, do away with the handbook, the pool-room, and the supplying of racing information outside of the race-track, but let us have book-making on the race-track. To my mind there is no distinction in principle between betting on the street or in a pool-room and betting on the race-track. If the one is bad, the other is bad; if we prohibit the one, we should prohibit the other. The evidence goes to show that hand-books and pool-rooms are greater sources of evil than betting on the race-track. The only reason for that is that hand-books and pool-rooms operate for 365 days in the year. On the other hand, certain Toronto police officers stated in evidence that for the time of the race meet, say 20 days, the gambling on the Woodbine is worse than it is for the same time in the pool-room or by the hand-book. Again, it seems to me that if you endeavour to legislate to prohibit the hand-book and the pool-room, and do not cut out the race-track, your legislation with respect to the hand-book and the pool-room will be very ineffective. The evidence bears this out. The hand-book and pool-room men cannot operate without the information they get from the book-maker. The evidence shows that the pool-room and the hand-book are only the branches, while the book-maker is the root of the evil.

Mr. LANCASTER. Does not the amendment proposed by the hon. member for West Northumberland cut out the book-maker, as well as the hand-book man and the pool-room man, except on the track while the race is in progress?

Mr. W. M. MARTIN. That is quite correct, but the argument I am attempting to make is simply this, that if you are going to legislate effectively to cut out the hand-book man and the pool-room man, you must cut out the root of the trouble, which is the book-maker. It is most inconsistent to make a law which permits the book-maker to do as he likes on the race-track, but makes it a crime to do the same thing on the street. That would be making one law for the man who can afford to attend the race meeting and another law for the poor man who has not the dollar to pay for entrance to it. Inspector Duncan and Inspector Archibald who are leading police officers of Toronto, and well qualified to speak on such a subject, agree in their evidence that in order to deal effectively with the outside evil, you must deal with the inside evil, and that is the book-making on the track.

Mr. LANCASTER. If nobody can operate outside at all, how can there be any mischief outside of the track? Does not the amendment cover that?

Mr. W. M. MARTIN. If you allow the book-maker to operate on the track, you render it possible for him to supply information to any one outside.

Mr. LANCASTER. But if any one operates outside, he becomes a criminal under the amendment as well as under the original Bill.

Mr. W. M. MARTIN. I do not think I need go any more fully into that matter. It is said that the law cannot be enforced. Such an argument is always advanced against any legislation of this kind. I believe it can be reasonably well enforced, and I am corroborated in this view by the evidence of many distinguished police offi-

cers. For instance, Inspector Duncan, at page 187:

Q. Suppose that a law is passed which will make all book-making, whether on the race-track or off it, illegal, will there be any difficulty of enforcing other criminal laws, having regard to your experience?—A. I think there would be no difficulty at all if that was done.

Inspector Archibald, at page 226:

Q. Then if you had a law that was in plain Anglo-Saxon and easy to understand, forbidding betting on the race-tracks through the book-maker, would it be possible to reasonably enforce that law?—A. Yes.

Bernard McMahon, chief of police of Hamilton, at page 338:

Q. Then, Inspector, you do not see any difficulty, or rather you would not apprehend any difficulty, in enforcing a law against book-making, if such a law were enacted?—A. If it were passed in such a way that it was made workable. For instance——

These police officers all agree that the law could be reasonably well enforced as well as any similar law.

There has been a good deal said in the House and in the corridors and outside the House regarding the extent of public sentiment which exsits in favour of this measure. I believe that public sentiment throughout Canada is largely in its favour. We have had that expressed by the farmers of Canada through the 'Farmers Journal,' we are also aware that the majority of the principals of agricultural colleges are in favour of the Bill; we know that the Dominion grange, trade and labour congresses and the churches support it. It has been said that the agitation has been largely created by clergymen. Well, I see no objection to a clergyman taking part in a movement of this kind and exercising his influence in its favour. I would just as soon be approached by a clergyman in support of the Bill as by a horseman or lawyer against it; and during all the time the Bill was before the committee, I never had any representation made me by a clergyman, verbally or in writing, asking me to use my influence. On the other hand, I did have influence brought to bear on me by horsemen in western Canada and lawyers who were appearing before the committee to oppose the Bill. The business men of British Columbia, as appears by the evidence and letters sent to the committee, the Minister of Inland Revenue, the hon. members for Vancouver (Mr. Cowan) and also Victoria (Mr. Barnard), are in favour of the measure. We have had public opinion further instanced by the various petitions presented to parliament. I did not myself have more than two or three petitions from the riding I represent, so that evidently there is not much agitation there in favour of the Bill. As regards the objection that public opinion has been largely stirred up by clergymen, I am disposed to give the majority of the people credit for having minds of their own and for knowing what they did when they signed these petitions.

I have considered the Bill as well as I could with the evidence before me. We heard a great mass of evidence in the committee. I have read the most of the evidence since the committee ceased its sittings, and can only come to the conclusion, that inasmuch as the opinion of the vast majority of the people appears to be in favour of the Bill and inasmuch as I consider the measure in the interests of the community as a whole, it is my duty to support it.

Mr. S. BARKER (East Hamilton). I have no intention of going exhaustively into the details of this Bill, or its object, but desire to confine my remarks to a few facts of which I have personal knowledge; and in that connection I wish to take this opportunity of beginning by a few general observations. I have listened with some interest to the hon. gentleman (Mr. Martin) who has just taken his seat. As I understand him, and as I understood the hon. gentleman who moved the second reading (Mr. Miller), they take a very broad and general objection to any thing in the nature of betting. Betting in the abstract is a sin, a moral wrong. That I understand to be the broad question which is really before this House. Well, I may say that, as a member of this House for a few years, I have had a little experience of betting in the abstract. In each of the contests which I have run, I have been met invariably by very goody goody gentlemen on the opposite side of politics who were always ready to bet two or three to one that I could not be elected. Of course, they were quite moral in their views. They were not trying to make money by their betting. Nothing of the kind. They were simply offering a bet—but with what object? To create an improper influence upon the electors. That is what they were trying for. I have had bets against me, and I only mention these, because I know a little more about bets against myself than I do about bets against other gentlemen. And I know that these bets were offered, not for a legitimate purpose—speaking as a sportsman would speak of a bet, which is the groundwork of a bet on a horse race—but with the deliberate purpose of defrauding; and I doubt whether there is one hon. gentleman in all this House who is going to vote on this Bill, who would say that he is innocent of any attempt of that kind. I believe that man after man in this House has encouraged

betting to influence people in their opinions and get them to vote contrary to their belief and their conscience. Then we have insurance agents. The hon. gentleman who moved the Bill (Mr. Miller) has left the House, and I am sorry, because I would like to ask him about the eight or ten insurance men, canvassers, who go to a young and enterprising business man, each of them telling a different story and all of them lying more or less about the facts they represent. These gentlemen represent to every man they desire to insure that his life is uncertain, that it is a thing to bet upon, and that he ought to insure in such a company. And we have one man representing several companies who will say to his agents: Bring all your bets to me and I will see that you get your commission. I wonder whether the hon. gentleman who is at the back of this Bill has ever done that sort of thing. Of course, that is not immoral, that is business. But the bookmaker who goes into that sort of business openly and avowedly is a scamp. But is the insurance agent a scamp? God forbid, they are all hon. gentlemen, good business men. The other man, however, is a rogue and a rascal. Then we have the broker. I wonder whether, on either side of the House, there is one man who has never dealt with a broker. Who is the rascal? The man who is a broker or the man who deals with him. If I go to a broker to enter into a transaction by which I make money, that I am not squarely entitled to, am I less a sinner than the broker, or is the broker less a sinner than I, provided we both know what we are doing. Here you go into a race-ground and you come in contact with the professional book-maker. He is putting his skill, judgment and knowledge, his calculation of chances against your money and you know it. He offers you a bet and you take it. Is he more of a rascal, is he a greater rogue than the broker who leads you into a transaction or the insurance agent who makes you insure in one company instead of another? Where do you draw the line? Are you going to say that it is unlawful for one man to take one chance and it is morally as well as legally right for another to take another chance? I wonder if these gentlemen on both sides who have been displaying their knowledge and their powers of moral suasion upon this subject have ever thought of this? I have been very much struck with the language of a minister of the gospel, a minister of Christ, on this subject, and I would like to ask hon. gentlemen in this House, as men representing six or seven millions of people to quietly consider what this gentleman tells us. I take some of the evidence, and I must say at this stage that I really do consider it a lamentable thing that in a matter of this kind, involving large amounts of the money of honest and honourable men, we should be asked to deal with evidence covering 500 or 600 pages with such little opportunity for reading as has been afforded us. I voted on the question of this being printed in French, not because I sympathized with the gentleman who wanted it printed in French, but because of his words preceding that there had been no time to read the evidence even in English. I think it is an outrage upon decency that we should be forced to a consideration of this subject—very trifling perhaps, very unimportant, to many men of this House, but very serious indeed to many men not in this House—under these conditions. Now, what does this minister of Christ say? The counsel asks him:

Q. You are down here doing your utmost to pass this Bill on behalf of what churches in Canada, I would like to know it?—A. The church of England, Methodist, Presbyterian and Congregational, the Trades and Labour Congress of Canada, the Dominion Grange, and Farmers' Associations.

Q. And have these churches authorized you to press their Bill which will allow individual betting?—A. No—

Mark this—they have not authorized that.

—for a Bill which will suppress professional betting.

Mark the distinction—not authorized as to a Bill allowing individual betting, but to suppress professional betting. There is casuistry for you. Here is a man representing the churches, a man who is a miniter of Christ, the highest calling to which a man can give himself, and he declares that he is not authorized to advocate a law putting down individual betting, but to advocate a law prohibiting professional betting. One would thnk that a man objecting only to one class of betting did not object to the other. That is what I, as an ordinary person, knowing a little of the English language, would take to be the true meaning.

Q. Well then are you authorized by these different churches which you have mentioned to press for the Bill as drafted, that is what I want to know?—A. I think I am, yes.

If it had been the hon. member for South Grey, or the hon. member for Regina (Mr. W. M. Martin) what answer would have been expected? But what is this gentleman's answer?

I think I am, yes.

There is the stalwart minister of the gospel. These hon. gentlemen opposite are absolutely sure, but the minister of the gospel is not quite so sure. But we in this House are to make the rigid law of the land what this gentleman only 'thinks.'

Q. Are you or are you not?—A. I think I am.

Do you get any expression of that kind from these gentlemen who wish to make this the absolute law of the land?

Q. Have you any authorization?—A. I think I have.

This is the stalwart soldier of Christ. This is no politician.

Q. Well, where is it?—A. In the resolutions that are before you, that are before the committee.

Q. You think these resolutions give power to advocate the Bill as drafted by Mr. Miller?—A. I think so.

The hon. member for South Grey (Mr. Miller) has no doubt about it, but the witness, who is on oath, is only able to say: 'I think so.'

Q. Do you see any harm in life insurance?—A. No.

Q. Do you see any harm in buying stock in the stock exchange?—

And here comes the valiant soldier of Christ again:

A. You would need to be more particular before I would answer that.

Here is a man who is giving his evidence upon oath, and presumably knows what he is talking about. But he would not like to commit himself to what these gentlemen opposite would swear by.

An hon. MEMBER. It would depend on whether there was a profit.

Mr. BARKER. Yes, if there was a profit it would be legitimate, but Lord help the poor fellow who loses on the transaction. He is a rascal. But the broker or insurance agent who induces him to enter the transaction is all right—he has his commission. And he is not on the race-track.

Q. I do not mean on margin, I am not accustomed to doing that myself?—A. As far as I know, there is no ethical distinction between buying on margin and buying not on margin.

Q. You see no difference between buying stocks on margin and buying stocks outright?

And here comes the minister again. Observe the question and then note his answer. That is, he does not see any distinction between the man who bargains without having the money to pay, and the pure speculator, the gambler, the man who puts down his cash and says: 'There is my money.' That is the question, and what is the answer?

With limitations.

This great apostle who is teaching this country about the miseries and the sins of betting, says: 'There are limitations'. So we have the hon. member for South Grey (Mr. Miller) with his limitations. He would allow you and myself, Mr. Speaker, to make a little quiet bet, but we must not do it professionally. I might put up ten to one, if I thought that was safe. You may take $10 out of me by risking your $1, and that is all proper. I am speaking to you, Sir, officially, as Speaker, because I know you would not do it. But that is all right. You may get $10 out of me when you know you are absolutely safe. But the broker who will do that, the man who does it professionally, he is a scoundrel, and a rascal; and the stomach of the hon. member for South Grey turns at that sort of thing. I can hardly express in proper words what he would feel about such a transaction. This question is asked him: 'What limitations?' The answer is—this great apostle is evidently in a corner—the answer is:

It will depend whether the individual is buying on margin. If I understand the term correctly, I have never done any business of that kind—buying on margin is buying on credit, that is where a part payment is made.

Q. Do you see any difference between buying on margin and buying stocks outright?—A. You mean buying on credit, that is, making a part payment.

He is fencing, you see.

Q. Yes.—A. No, provided a man keeps within his buying power.

Now just think of that. Suppose I go to a race with you, and I know that I am worth $50, and I can pay $50, and I bet $10 to win $1. I am betting on a margin because I have $50 in my pocket, and I know that I can pay it, and it is all right provided I am betting within my pocket capacity. If I win I am a superior man to what I was just before. That is the argument. It all comes down to a common sense basis. It is quite clear, the man who gives this evidence, who is the backbone of all this movement, from beginning to end, this man will say it is all right to take your winnings from a man if he is able to pay them.

No, provided a man keeps within his buying power.

If I buy a chance of $10 for $5 I am within my buying power. There cannot be anything wrong, he says. But suppose I go up to a book-maker at the race-track, and he says: There is a chance of winning so much money, a chance of winning $10. I can buy that for $5, and I give the $5, and am ready to pay it. This minister of the gospel tells us that it is not wrong, I am within my buying powers. Well, it is just the same with a broker, the person who makes a bargain with you, or with any gentleman sitting in a booth at the race-stand. It is a fine moral distinction that is drawn in this evidence.

Q. Under what particular branch of this moral and social reform league are you down

here specially, for the Methodist, or the Presbyterian church?—A. If you had been listening you might have heard, I am here representing the Moral and Social Reform Club of Canada, consisting of the various units which I have enumerated.

Of course, that is a very long sentence, and I quote it to show who these people are on behalf of whom he speaks. I leave it to the common sense of this House, and the country to try and draw a distinction between the man who bets on one thing, and the man who bets on another, the man who bets in one place, and the man who bets in another place, the man who bets without the money in his pocket, and the man who knows he has got the money to pay it, and is honest enough to pay if he loses. Can any man draw any moral distinction? And yet we are asked here in this House as common sense business men to try and draw such a distinction, because this casuist, who is trying to make a distinction here, tries to satisfy himself in a most lame fashion, and we are supposed to accept his testimony, gentleman after gentleman who reads his words here, as if he were speaking on behalf—I say it reverently—of the Almighty. So we have got to draw a line somewhere. We are perhaps better business men than even the reverend gentleman who uttered these things. We know the shortcomings, and the weaknesses of business transactions, and we are quite ready to admit where the evils are, and we are perhaps—I say it with all deference to the reverend gentleman—more capable of judging how far the restrictions would go than he is, and much more capable of understanding whether they are likely to be effective or not.

Now, I do not intend to go into all this mass of evidence. I have noticed in all the speeches that have been made up to the present moment what is characterized among professional men and lawyers as a very pernicious, and I might almost say, improper method, the habit of picking out little expressions here and there from the testimony of a man who is giving his evidence on oath, and using that as the pith and substance of that man's testimony. Those of us who have been connected with the law understand that sort of thing. There is nothing that a bench of judges would so quickly see through as an attempt of that kind. That sort of humbug would go down with no man accustomed to judicial proceedings. He would understand at once, and he would rake deservedly, counsel who attempted to presume to pick out little pieces of evidence, and would tell him: You are misrepresenting to those who are listening to you the truth of what appears before you.

I have again and again in the course of this debate heard two phrases, and expressions quoted from witnesses whose evidence I have had an opportunity to read, and I have observed that the expressions quoted, picked out, selected for a purpose, have absolutely misrepresented what the men swore to. I say that without hesitation. I do not profess to have read all this testimony, and I very much object to being called upon to reply to the arguments that have been supported in the manner I have referred to. I wish to deal particularly with one small branch of this subject which has been treated in the manner I have protested against, that is the representing what an enormous profit, what a fine thing there has been in it, for a few gentlemen in Hamilton who originated the race-track there, and all connected with it. I have very little interest in the thing, my whole interest consists of $40 in cash paid upon a share of $100 with a liability to pay the other $60 when I am asked for it, and although I am not a rich man, I will be able to pay that $60 whenever I am called on to pay it. I have never received a cent of dividend on that $40. I have been a shareholder for about fifteen years, and instead of receiving any dividends it has cost me I would say in round figures about $200 to pay my ordinary dues to the club without receiving a return. I have paid year after year during all that time from $10 to $15 for the mere privilege of saying I could go to the club of which I am a part owner, and I have paid other expenses. Instead of receiving one dividend of one cent I am out of pocket about $200 in addition. That is my position, and judging from the speech of the hon. member for South Grey, that puts me in the position of an abominable gambler revelling in money made out of unfortunate young men who are betting on the races. I do not profess to have been one of the early members of that club. Some fifteen or twenty years ago a number of wealthy enterprising, and sport loving gentlemen in Hamilton thought there was need for a race-track there in the interests of horsemanship, and they bought a plot of land then lying waste, paying the full price of the land at that day. That land, quite apart from any race-track or any structures upon it, is to-day worth three times what they paid for it. It has increased in value owing to the growth of manufacturing interests all about it. If the city of Hamilton had done what the promoters wished them to do at that time, and taken over part of this land as a park they would to-day have had three times the money it would have cost them. But the gentlemen who speak here says the profit on that land has been made out of horse-racing, they have been taking it out of the pockets of these young men who have been betting, this club has been rob-

bing the people, and pocketing the money, and here is their profit—and they show the balance sheet of the club. That land has increased not by reason of horse-racing, but by natural increase in value, and is worth some $30,000 more than was paid for it. It might have been bought for a Salvation Army pleasure ground or for the Reverend Dr. Shearer, or for the hon. member for Grey (Mr. Miller), and it might have been left there without a stump being extracted, and that property would be worth to-day three times what it was worth then. The hon. gentleman would be horrified if he was charged with gambling in getting that money, he would say it was a fair and legitimate profit on the purchase.

The late Mr. Hendrie, a well known citizen of Hamilton, a wealthy man, a lover of horses, a man who had the interest of Hamilton at his heart, and who never made a bet so far as is known, on a horse or anything else, put a considerable sum of money into the purchase of this property with eight or nine other gentlemen, having in view the offering of part of that property to the city of Hamilton for use as an exhibition ground, intending to use the other part of it as a race-track, to promote the happiness and pleasure of the citizens and improve the horse business. That is what that fund was for, and those gentlemen spent their money. It happened that the city of Hamilton at that time did not think that the property was going to be valuable as it has turned out to be, and they would not buy it. If they had done so, the city would have been very much ahead to-day —but I suppose that would have been gambling. These gentlemen spent a very large sum. I was not interested in that concern, and I do not profess to give the absolute figures, but these gentlemen spent something like $100,000 in making there one of the best tracks in the country, a double track, in putting up stands, and stables, and a club house, and what was the result? They were ahead of their day, and instead of making an enormous sum as one would imagine from the speech of the hon. member for South Grey, they lost about $75,000.

Some of the partners got faint-hearted and they wished to retire, and the concern was taken over, and the gentlemen who had heart enough remained, and they got others to join them, and they formed another company composed of most of the men who were in it at first, and they turned it over to the new company at less than one-half of their money. I was one of the new concern, and being a man of non-gambling proclivities, I was one of a group who paid $40 and agreed to pay $60 more for one share, and the rent of that property was about one per cent on the capital. That is not such a wonderful thing as the result of this marvellous gambling. I doubt very much if the member for South Grey would invest $50 with the possibility of getting such a return; I doubt very much whether these clerical gentlemen who talk about gambling would have taken an interest in it under the circumstances, even though it were not for racing purposes, but for the advancement of the Christian church. The directors of that association worked hard without compensation; they worked in the interests of the city, and in the interest of the farmers in the neighbourhood until between 300 and 400 horses would be brought there for some weeks each year, using up the oats and the hay produced by the farmers in the neighbourhood, and filling up the hotels and bringing American money into Canada. I have heard it said that there has been no great protest from Hamilton, and my own view is that the great majority of the people of Hamilton believe it is a good thing, and they do not question so much the morality of it from the point of view of the Rev. Dr. Shearer. I can tell you that some of those who paid only part of the $40 first instalment for one share did not think it worth the risk to pay the remainder of the $40 and to remain liable for the $60, so they forfeited their shares. Evidently they did not think there was much profit to be made out of this great gambling concern. I have never received one cent of dividend for the little money I invested, but I think the citizens of Hamilton would regard their track as one of the institutions of Hamilton which did a great deal to build up the city and to bring it to the attention of the world by the advertising it got from the thousands of people who came to the races every year. I thnk if there was a straight vote in Hamilton the people of that city would vote it had been a good thing. There are people, who perhaps give as little thought to it as some gentlemen on the other side of the House have given to the question, and who might be opposed to it. But just as the exhibition in Toronto is looked upon as the event of the year, so the Hamilton races are looked upon as one of the attractions of the city; that business is benefited; and the belief is that, conducted with proper restrictions, it is a good thing for the city. As at the Woodbine, so at Hamilton, order and decency are maintained at the races. Special detectives are employed, and if any scamp should appear on the ground, he is taken off at once, and the magistrate very soon sends him out of the city. When the hon. member (Mr. Miller) introduced this Bill, he told us a cock-and-bull story, which he now has apparently dropped, about a boy of 12 years, who on the street cars coming from the Woodbine boasted of the money he had made in betting on the races. I told the hon. gentleman that it was impos-

sible a boy of 12 could get into the grounds at Hamilton or Toronto unless he got over the fence or under the fence, and any way he would never get within half a mile of the betting. Then again, if a jockey, or the owner of a horse, or the trainer of a horse be guilty of improper conduct, the men in charge of the races, who are paid salaries of $75 a day for their services, would report such person, and whether he be owner or jockey or trainer, he would be ruled off the Hamilton track, and as a result he would be ruled off every race-track in the United States. What better guarantee of fair-play could you have? There is no track in England, visited by the King or any other man in England, that is conducted with more care, more honesty, more effort to have everything beyond suspicion, than the Woodbine, the Montreal track and the Hamilton track; and I defy any man, whether it is the gentleman who has introduced this Bill, or any other member of this House, to put his finger upon one transaction from the first day the Hamilton club opened to this hour, that is not to the credit of that club.

Hon. CLIFFORD SIFTON (Brandon). My hon. friend from South Grey (Mr. Miller) has brought my name into this discussion and has intimated that it is my duty to assist him in conserving the morals of the people of Canada. I have to say to my hon. friend that I am perfectly willing to join him in doing anything that will promote the moral well-being of the people of Canada if my judgment accords with his in regard to the measures to be adopted to that end. Since something like 22 years ago I was first elected in Canada as the representative of some of my fellow citizens, I have never consciously failed to vote where I had the opportunity for any measure which seemed to me to be designed to promote the peace, welfare and good government of the Dominion of Canada or that part of it with which I had to do. In speaking of a measure of this kind, there are a great many considerations which are pertinent to the subject. There are a good many other considerations which may be dragged into the debate which are not really pertinent to the subject. There are a great many points of view from which the subject should be looked at, if a careful examination is to be made and an intelligent conclusion is to be reached. And let me say that, in the very few words which I wish to address to the House upon this subject, I speak with a full sense of my responsibility not only as a member of the House, but as a citizen, and as the father of a family of sons, some of whom have reached years of manhood, and whose welfare in the future is much more important to me than anything else that can possibly happen in this world. Therefore I think I have as complete a sense of responsibility in speaking of this question as it is possible to have. The measure which has been brought before us has been brought in a somewhat peculiar way. It is promoted by an association or collection of gentlemen whose avowed object is to promote moral and social reform in the Dominion of Canada. There have been some things said of a somewhat unkind character in regard to these gentlemen and their efforts. I do not desire to be understood as endorsing any gibes or attacks which may have been directed against these gentlemen. It may be that in some respects their methods are not all that they ought to be. It may be that sometimes they are injudicious. Nevertheless it seems to me that the work which they have in hand of endeavouring to promote moral and social reform in the Dominion of Canada is a laudable and praiseworthy work. They have been before this House asking for legislation on a former occasion. They came some sessions ago with a proposition that we should pass legislation respecting the observance of the Lord's Day. On that occasion they were able to convince the government that it was the duty of the government to stand as the sponsor of the legislation; and I think that the spirit in which the government and the members of the House on both sides met those gentlemen in connection with that legislation was highly creditable to the House, and showed that the sympathies of the House were almost unanimously with these gentlemen in their endeavours to promote moral and social reform in Canada. They have not on this occasion apparently been able to convince the members of the government that the government should stand as sponsor for the legislation which they propose. For my part, I regret that they did not succeed, at least to some extent, in impressing their views on the government, because we think that some legislation is necessary, and it would have been more satisfactory to us if the government had been able to see its way clear to introduce a moderate measure which could have commanded the general assent of the members of the House. That, however, did not come about, and they have adopted what is their undoubted right of getting their legislation introduced by a private member, who has devoted himself zealously and with praiseworthy capacity and industry to promoting the object he had in hand. The Bill has been brought before us, and it has gone before a committee for investigation, and the committee has held what appears to have been a very thorough and impartial investigation. We have heard the evidence discussed from various standpoints since the House

met to-day. My hon. friend from Grey has given us a very full and thorough review of the evidence. If I were to say anything with regard to that, it would be to suggest to my hon. friend that possibly a more unbiased review of the evidence would have been more convincing to the House. I do not suggest that my hon. friend was consciously unfair; but one could not listen to his discussion of the evidence without feeling that he was laboriously extracting those portions of the evidence which tended to support his conclusion without giving due and proper effect to the evidence of a contrary character. We had a review of the evidence from another standpoint given by my hon. friend from Northumberland (Mr. McColl); and again my hon. friend from Regina (Mr. Martin) has gone pretty extensively into the evidence. I have no intention of following them in such a review. I only desire in a very few words to express what seems to me, as an unprejudiced onlooker, to be the effect of the evidence given before the committee, and I think I approach the question with as little prejudice as it is possible for any one to have on the subject. I can hardly be accused of any undue sympathy with gambling. I have been in the habit of attending horse-races for the last 30 years or thereabouts, and of taking my family when they desired to go; I never could see that it did them any harm. I have never bet a dollar on a horse-race, have never bought a pool, have never been interested in a race to the extent of a copper; I have never played a game in which a dollar was at stake; so that I am as free from any sympathy with gambling as it is possible to be. I cannot plead that my freedom comes from any deep-rooted feeling that gambling is immoral. It has rather seemed to me to be an exhibition of stupidity, and I have not felt it necessary to indulge in that particular form of stupidity.

There are some things which, it seems to me, have been very clearly proven by the evidence before the committee. I am not going to discuss the evidence but simply to point out what appears to me to have been conclusively proven by it. In the first place it appears to me to have been proven conclusively that the English thoroughbred horse is the basis of the improvement of all light horse breeding throughout the whole world. It has been shown that in every portion of the world where a systematic or intelligent attempt is made to improve light horse breeding, that has been done by the importation of English thoroughbreds, the product of racing and racing alone. Then I think it has been shown, not only that racing has developed the English thoroughbred, but that racing alone will keep him in his present condition and quality. It has been shown further that the stoppage of book-making upon Canadian race tracks will have the effect of doing away with the conduct of racing by reputable men who engage in it as a sport and expend their means for that purpose. Racing, as the hon. member for Grey (Mr. Miller) truly says, will not be stopped, but racing conducted by men of means will be stopped. It will get into most disreputable hands and the last stage will be worse than the first. I think it has been shown that if the Bill should pass in its present form, the importation of high-class thoroughbreds from Great Britain to Canada will be practically stopped. Further, that our present position which has lately resulted in a very large number of thoroughbred horses being placed for service throughout the Dominion practically free of charge, and without any assistance from the government, will be totally destroyed if racing be put an end to.

But, leaving the horse breeding question to one side, there are other things which appear to me to have been very clearly shown. In the first place, it has been clearly shown that tipsters' advertisements and the advertising of information and the soliciting of betting and wagering is a source of great evil and ought to be stopped. I think it has been further shown that the pool-rooms conducted away from a race-track are a serious evil. Also that the hand-book betting is a serious evil, which comes within the general definition of gambling not as an adjunct of sport, but in itself pure gambling, and I am of the opinion that the general sentiment of the House would be to put a stop to that. I think it has been shown conclusively that when racing is permitted to be carried on for a considerable length of time, for such a length of time that the races cease to consist in real trials of speed, but are simply devices for the purpose of furnishing gambling facilities that constitutes a generally admitted evil and ought to be stopped.

These are therefore four distinct evils which I think have been exposed clearly before the committee and which I think the general sentiment of the House will agree, ought to be prohibited by legislation. I would have thought that having been shown and there being evidently a clear and definite opinion on the part of almost all members of this House that legislation for the prohibition of those evils would receive a general, an almost unanimous assent, the promoters of the Bill would have seen the desirability of accepting legislation which would do away with these admitted evils and let the matter stand for the present. I am quite satisfied that if I had been in the place of my hon.

friend from Grey (Mr. Miller), if I had been promoting this legislation, if I had been on that committee and had seen the evidence produced, proving that these evils existed, and had seen that the House was ready to accept legislation which would be of the most drastic character and do away with those evils, I would have thought that that was enough for one session and would have advised a trial of that legislation to be carried through with the unanimous consent of parliament. It seems to me beyond doubt that that would be the common sense, reasonable and moderate course to adopt.

Going a step further, has it been shown before the committee that in racing, carried on in what we may call the best possible way, as for instance, during the first week of racing at the Woodbine track—has it been shown that the betting on such occasions is such an evil as to demand drastic legislation by this parliament for putting an end to it. I submit there is not a scintilla of evidence before the committee which shows any such thing. I believe it can be said by any reasonable man that when you undertake to take out from the general body of evidence anything applicable to that class of race-meeting such as I have described and endeavour to make out great evils resulting from the conduct of such races, you have utterly failed to prove any such thing. But admitting for a moment that I am not entirely correct in that, and that there is reasonable ground for difference of opinion upon it, then what is the proper course for this House to adopt? What is the principle upon which criminal legislation, under the British system is based. The principle of all our criminal legislation is this, that it is the crystallized or, if you may so call it, the sanctified common sense of the community. It is the expression of the general assent of the community that such and such an Act ought to be condemned. Therein lies the strength of our criminal law. The strength of our criminal law lies in the fact that, under the British system, what we may call freak legislation is unknown. It never has been admitted that it is the duty of a British legislature to decide moral questions for the British people. It is the right of the British people to settle moral questions for themselves, and for 150 years they have never admitted the right of any secular body to settle moral questions for them, or to regulate their conduct. It is the right of the individual, the liberty of the individual, and the only way he can develop character is by exercising the right to decide moral questions for himself. If you look through our criminal law during the last 150 years, you will not find in a British colony or the British parliament itself, any case in which a certain act or certain class of acts, commonly indulged in by a large and reputable section of the community, has been declared criminal by an Act of parliament forced through by a narrow majority, and in the face of strong opposition. I do not think you will find such a case. Now this same question has been before the British parliament within the last few years. What was the method adopted to ascertain what would be the best way of dealing with it? It was sent to a special committee, and the matter was carefully examined into. We too have done that. But when it came before the House for legislation, was any attempt made to pass a law which would confiscate private property, or declare to be criminal acts not recognized as being criminal by a large section of the community? Not at all; the legislation proceeded upon careful and conservative lines. An Act was drawn by Lord Davey, perhaps the greatest lawyer whom England has produced in the last hundred years. I have a copy of the Act, and in clause 3 we find it expressly provided:

> Nothing contained in this Act shall apply to any ground used for the purpose of a race-course for racing horses or adjacent thereto on days on which races take place.

That is the principle upon which the British parliament, after careful and thorough consideration on the part of a special committee, arrived at as a sound principle for British legislation. They do not think it safe or judicious, by a majority if it could have been got, to declare that that which was being done constantly by respectable, reputable citizens of the country, and in regard to which they recognized no moral culpability whatever, should it be branded as a crime without general consent on the part of the community to such a declaration.

What is the basis upon which the administration of the criminal law must rest? The general consent of the community that an act which is forbidden by the law is an act which ought to be forbidden by the law. And if you depart from that principle what results? The result is that you bring the law into contempt. And I put it to the House, and I put myself in the judgment of every member of the House whether in favour of the Bill or not. If this should be made law, would not one law of the parliament of Canada at least be brought into contempt with a large section of the community? They would not respect the legislation, they would not regard it as legislation, which the circumstances called for or which parliament had passed in the exercise of due wisdom, and due care; and the result would be that that support which all good citizens give to the law would not

be given to the law passed under these circumstances. I do not know that it is necessary for me to elaborate that argument, but I desire to follow it just far enough to point out that if you once lay down the principle that because any particular section of the community regard a particular act as being morally objectionable, the section of the community which objects to that act can come to the parliament of Canada, and demand that the act referred to shall be declared to be a criminal act, you will open the doors to a class of legislation which will lead you to ends you cannot foresee. You will have introduced into this House a class of discussions in the carrying on of which there can be no possible fixed principle. My hon. friend from Regina (Mr. W. M. Martin) says that the only question we have to decide is whether the members of this House are in favour of book-making upon race-tracks or not. I respectfully submit to you, Mr. Speaker, that that is not the question. It is not a question of whether I, or any hon. member here, happens, in his own mind, to be in favour of book-making or of race-track gambling as it may be called—not at all; the question is whether there is a necessity in the interest of the peace, order and good government of Canada that these things shall be prohibited. The question is whether it is our duty, in the exercise of our powers as the parliament of Canada, to make that a criminal offence. What I may think, or what any other hon. member may think personally as an individual has nothing to do with the case. We are not sent here to carry into the criminal law the particular views we may have with regard to any particular thing that is being done by our fellow citizens. If we undertake to legislate within these lines we shall find ourselves involved in all kinds of confusion.

There is one other consideration which I desire to present. This legislation is of an altogether peculiar and unusual character. I doubt if my hon. friends who are supporting this Bill can show a single case in the last hundred years in Great Britain, or can show a single case in the history of the criminal legislation of the parliament of Canada, in which an Act of parliament has been brought in without any public agitation, without any public demand, which practically confiscates a large amount of private property and brands as criminal acts which are constantly being performed by some of the best citizens of the Dominion. I do not think a precedent can be found for such legislation. And I desire to call your attention to the fact that there is not even the excuse of a public demand. We are here, two hundred and twenty-one members of the House of Commons; there is not a single one of us, I believe, that ever heard this subject discussed on the political platform in the last general election. I venture to say it was not mentioned. Certainly, I never heard it, nor have I ever found anybody who did. We never heard of a member of the House of Commons being asked to pledge himself upon this subject. I have never heard of a public meeting being held for the purpose of discussing this question and hearing the arguments, pro and con. There has been no opportunity for the people of Canada to come to any reasoned and considered opinion upon this subject. My judgment is that the people of Canada have not come to any reasoned or considered opinion upon this subject at the present time. Then, look at the press. Read the newspapers for the last two weeks while this matter has been before the committee. There has been, here and there, a perfunctory article in favour of my hon. friend's Bill, there has been here and there, an article in opposition to the Bill. But nobody who is at all careful as to the statements he makes could, I think, make himself responsible for the statement that there has been in the press of Canada anything in the nature of a concerted demand that this legislation should pass. Is it my hon. friend's position that we should plunge into this extreme, drastic legislation without evidence that the people of Canada have formed an opinion upon it or that they desire it to be passed, without any indication in the press that there is a public opinion on the subject, without any evidence of public opinion except that most evidently manufactured by those who are agitating in favour of the Bill? So, it seems to me that all these considerations point to the conclusion that it would be the part of prudence, common sense and judgment for this House to hesitate before they pass this into law. I have consented to become the seconder of the amendment which my hon. friend (Mr. McColl) proposes to move in Committee of the Whole, conceiving that the common sense and good judgment of the House would see that when legislation is passed which will amply and fully deal with the evils which have been shown before the committee to exist, that will be a sufficient measure, and that it would be unwise and altogether discreditable to our judgment and common sense to go further at the present stage. I hope, without extending my remarks further, that my hon. friend from South Grey (Mr. Miller) and the supporters of the Bill, before the discussion goes too far, will see that it is the part of wisdom to accept the proposition which is made, and allow this discussion to be sealed by a compromise of that kind.

Mr. J. E. ARMSTRONG (East Lambton). I have listened with much interest to many of the speeches delivered on this important question. I merely rise to give a hearty

approval to the Bill now before the House. Some of the statements of the hon. member for Brandon are very wide of the mark. He says this question was not debated on the public platforms in the last campaign, and, therefore, it should not be discussed in parliament now. Let me ask him: Was the Naval Bill discussed on the public hustings in the last campaign, a measure of such vital importance to this Dominion? And yet he is a supporter of the government that is trying to force that Naval Bill through the House. Again, he says there is no public demand for this measure. Evidently the hon. gentleman has not taken the pains to examine the public press for the last year, he does not know that public meetings in its favour have been held in different parts of the country, or he would not have made such a statement. This has been a live question throughout the country for more than a year, and during the last campaign it was uppermost in some of the counties. He says this legislation is of such a radical nature that he could not think of supporting it. Well, from what I understand in hearing the hon. gentleman discuss the Bill, the only objection they have to it is to that clause which prohibits the bookmaker to carry on his operations on the race-track. When you come to examine the amendment which has been proposed by the hon. member for West Northumberland (Mr. McColl) you will find that it will not be in the public interest to pass it. Let us examine clause 228a that has been taken from the Davies Betting Bill in the old land:

> Every one is guilty of an offence who frequents or loiters in streets or public places, on behalf of himself or of any other person, for the purpose of book-making or betting, or wagering, or agreeing to bet or wager, or paying or receiving or settling bets.

This clause is taken back on the following page so far as betting on race-tracks is concerned, and the latter part of clause 235 says this:

> The provisions of sections 226, 227, 228 and 235 of this section shall not extend to any person by reason of his becoming the custodian or despository of any money . . . . provided that no such race-meeting shall continue for more than twelve days.

A number of race meetings last year did not continue that length of time. Twice twelve days a year would be twenty-four days a year for each race meet. If you take the five race meets that are in the Canadian Racing Association, including Montreal, Toronto, Hamilton, Fort Erie and Windsor, and if you reckon twelve days for each of the five race meets in the spring, you have sixty days, and if you reckon five weeks in the fall of the year you would have sixty days more, that is 120 days. As there are only twenty days allowed already, they are precluded from having a race on a certain track within twenty days after the race closes. Supposing the first race had been held at Montreal, the racing association there would be able to go back to Montreal and hold their first race twenty days after their last race was held there; and in that way you would have continuous racing in the province of Ontario and some of the other provinces for 120 days. In addition to that, if you had a racing association in the eastern provinces that would cover say five race meets, and another racing association in our northwest that would cover say twelve race meets, you would have race meets practically throughout the year in some other part of the country. We find that the committee has thoroughly investigated this question; they have gone to a great deal of trouble, and have gathered a remarkable amount of information, and they have reported the Bill favourably as a consequence of their investigations. As I have already remarked, the only objection that seems to be made to the present Bill is that clause which prohibits the bookmaker from carrying on his operations on the race-track. Now, I think that clause is in the general interest of the public. Take for instance, the clause with regard to elections. I know one riding in which men who are interested in the race meets in that part of the country took up their quarters in a hotel, and they formed a betting pool. They then induced certain persons to go out and see men supporting the Conservative candidate giving them ten, fifteen and twenty dollars to bet against the Conservative candidate, and by betting against him they would be permitted to keep to themselves the amount of money they would make. I know one poor man in that riding that was not able to make such a bet. He bet up to $300, and he stated that the money was not his own, but it came through the betting pool that was formed in the hotel. I could explain how these men carried on their nefarious work, and I trust that this Bill will be framed in such a manner as to cover their case. The hon. member for Brandon also says that this is unfair legislation, that the British Criminal Code would not allow it to be enforced in that country. What about the Sabbath observance law in our country? Let him go to the United States and see how a Bill like this, has been adopted in different states of the union. Let him go into the state of New York, or Michigan, and see how the people are devoted to legislation like this. Let him go into the state of Illinois, or into California, and he will find practically the same legislation in operation to-day, and he will find that

the enlightened people in those states are alive to the necessity of legislation like this. I have only to say in conclusion, that I shall give the Bill my hearty support.

Mr. J. W. MADDIN (South Cape Breton). There seems to be some misapprehension in the minds of certain hon. gentlemen as to what the functions of parliament are in regard to legislation of this nature. The hon. member for Brandon (Mr. Sifton) says there is no precedent for a Bill of this kind, that the Anglo-Saxon race have always looked after their own morals and have accepted dictation from no one within the last 130 years. Let me say to my hon. friend that parliament does not exist for the sole purpose of building transcontinental lines or of improving the grade of live stock; it has other obligations resting upon it, and these obligations have been acknowledged by parliaments from time immemorial. The morals of the people have been the subject of legislation ever since we have had a law-making body. Parliament in the old country and in this country has legislated with regard to bigamy, polygamy and gambling, and has even made it an offence in England to gamble in private houses. The courts of Great Britain have gone so far in construing the statutes in regard to gambling in public places as to hold that a boat, a tent, a railway carriage, an omnibus, were public places within the meaning of the Acts. Has not this parliament before now legislated with regard to the morals of the people of the country? Was it not in 1878 that the Canada Temperance Act was consolidated? Have we not in the different provinces liquor licenses for the regulation of the sale of intoxicating liquors, with a view to restricting drunkenness? Why is it that the saloons in Ottawa are closed between 7 and 11 o'clock on Saturday nights? They are open during these hours in the old country. Is it not the duty of parliament to legislate along the lines of social and moral reform? When the editor of the Toronto 'Globe' returned from the old country and wrote up his views of English life, what did he state? That the race was becoming degenerate, that the streets were crowded with hollow-chested degenerates, and he depicted slumdom. I shall quote some opinions as to the cause of these slum conditions before I have finished, and it will be for us to say whether in this young country of which we are so proud, having the start it has and the race it has, we will maintain that race as it is, and even improve it, or allow it to degenerate as the English race has degenerated in the last 50 years. The hon. member for Brandon (Mr. Sifton) said he heard nothing about this matter at the last general election. Nothing was said at the last election about the naval policy of Canada, about the building of a Canadian navy at all, yet a Bill was brought up in this House without consulting the people, and has already passed this House.

Among the objections raised to this Bill are that it interferes with the breeding of first-class horses. Horse-racing does not affect the development or improvement of the breed of horses. The hon. member for Brandon says that according to the evidence before the committee of this House, if this Bill passes, horse-racing will go out of the hands of respectable gentlemen and find itself in the hands of a disgraceful element. In the province of Nova Scotia we have a number of race-tracks. Entering the province there is one at Amherst, one at Spring Hill, one in Halifax, four in the county of Cape Breton, one in New Glasgow, and I think one in Kentville, and during the years racing has been carried on there the book-maker has been unknown, he has not yet got in his work in the province of Nova Scotia, and I hope that after this Bill comes into operation it will be difficult for him to maintain a foothold there. The horse-racing of Nova Scotia is as well conducted as that in any part of Canada, and it is carried on there without the assistance of book-makers or anything of that kind. The gentlemen who conduct the races in Nova Scotia are the equals of those who conduct horse-racing in any other part of Canada.

Mr. W. F. MACLEAN. Is it trotting or running in Nova Scotia?

Mr. MADDIN. Trotting and running. I have been told that the evidence of the chief of police of Montreal before the committee was that he did not believe that any persons were injured morally as a result of betting. When the Bill was before the House for its second reading, the hon. member for Jacques Cartier (Mr. Monk) said that from his experience about race-tracks in Quebec, he did not think there were any evil consequences flowing from race-track gambling. During last summer, I spent the greater part of a week at Blue Bonnets, going out every day by Canadian Pacific railway from Montreal to the race-track, and I subsequently attended the race-meeting held at Delorimier park in the fall. I am willing to admit that any one who travels out in a private equipage or in a private Pullman car would not see the evils, but in travelling in the special trains you can see the tipster at his work, selling tips and guaranteeing winners and offering every inducement to the inexperienced, the unsophisticated and credulous, and one sees at once that even on the way to the race-course a great deal of evil is practised that it is the intention of this Bill to prevent. As quoted by the hon. member for South Grey (Mr. Miller), Mr. Gladstone

said that it is the business of legislators to make it easy for people to do right and difficult for them to do wrong. If that be one of the functions of a government, I submit that it is our duty to support this Bill in its present form.

As to the claim that this will seriously interfere with the breeding of horses, in 1844 a committee was appointed by the House of Lords to inquire into race-track gambling, and in their report they said:

The committee would consider the advantages of horse-racing more than problematical if they were to be inevitably purchased by excessive gambling and the vice and misery which it entails.

That was in 1844. The British race was not then degenerate, it was not made up of hollow-chested men, but evidently the parliament of Britain did not heed the report of that committee, and did not take the steps necessary to curb the gambling operation of the book-makers. The day of the horse is passing. In military matters we are looking forward to aerial navigation, and the balloon, and airship are taking the place of the horse. So are the automobile, and the bicycle, and it is not so important that we should preserve the four legged animal that we must do it as was pointed out in 1844, at the expense of the two-footed individual. It is not important for us to preserve the four legged animal if we must do it at the expense of the manhood of the country. We are not going to improve the breed of horses at the expense of the breed of men, a nation cannot be better than the people who compose it, and if the government would by wise measures devote more time to the breeding of good citizens in this country it would be a great blessing for the nation. If horse-racing is necessary to develop the breed of horses in Canada then let it be done without the assistance of the book-maker; let the government of Canada subscribe for purses to be contested for in the various provinces, and the same result will be achieved by honest means. At the annual exhibition in Halifax there are horse-races every day, and the government provides the purses, and the good clean sport is the result, and the unsophisticated are not exposed to being fleeced by unscrupulous book-makers. The hon. member for Hamilton (Mr. Barker) stated that bets had been made against him at the last election, and I have no doubt the same can be said of every member of this House, but it is not proposed by this Bill to prevent that form of betting which can go merrily on if any one wishes to indulge in it. But when the hon. gentleman says that the book-maker matches his skill, and judgment against the bettor then the hon. gentleman is entirely mistaken. Betting is encouraged and organized by social parasites in the shape of book-makers, it is their instrumentality which largely gives rise to the evil, and it is at them, and their practices that this Bill strikes. I shall with permission of the House cite the opinions of some eminent English authorities who have studied the conditions, and spoken with no uncertain sound as to the evil results of gambling.

Mr. Justice Wills said:

When I first came upon the bench I used to think drink was the most fruitful cause of crime, but it is now a question whether the unlimited facilities for legitimate speculation on the part of people who have no means of embarking on it are not a more prevalent scurce of mischief and crime even than drink.

Mr. Justice Hawkins said:

I know nothing more likely to ruin a young and inexperienced man than the system of betting which goes on around us.

Mr. Justice Grantham said:

Gambling with book-makers is the cause of more crime and misery than anything else in the land.

Mr. Justice Darling said:

No one could attend the civil and criminal courts without knowing that many persons spent a much larger amount of time in betting than they devoted to their own business.

Mr. Horace Smith (London, stipendiary magistrate):

Nearly every case of embezzlement I try has resulted from betting, and then to pay their losses they rob thier employers.

Alderman Sutton (Newcastle, magistrate) said:

The working men of the north of England put money on horses, and when they lose they take their employer's property.

Mr. Bros (London, stipendiary magistrate) said:

Betting is generally the downfall of clerks and servants who are charged with embezzlement.

Chief constable of Southampton said:

Street betting is a disgrace to the town. One man is making £1,000 a year by it.

The Birmingham official receiver said:

Half of the bankruptcies which come before me are due to gambling.

Mr. Curtiss Bennett (Marylebone police court) said:

I am convinced from my experience as a magistrate that nothing is so productive of crime among people as street betting. It is an evil far worse than drunkenness, and I agree with Mr. Justice Wills that it is the greatest curse of this country.

The chairman of Croyden bench said:

It seems a very good paying game. I think the government, as soon as they have time, will have to take into consideration whether the law should not be altered. These remarks were called forth by a book-maker who had been summoned, producing a handful of sovereigns, and suggesting that it would save time for him to pay the fine at once without the evidence being heard.

Lord Chief Justice (Lord Alverstone) said:

Sport never ought to be of necessity associated with gambling or betting. Those who had to do with the administration of the law knew that there was nothing in their great towns, and he was afraid in the smaller ones, too, that brought more people in the humbler walks of life to misery and ruin than the betting agents.

Mr. Justice Bucknill said:

This betting curse, which is being carried on in a shocking manner, has got to be put down with a severe hand, and, as far as I am concerned I will do so to the utmost of my power.

John Hawke (Hon. secretary National Anti-Gambling League) said:

Gambling is becoming a worse evil and a more serious cause of poverty than drink.

Right Hon. Henry Campbell-Bannerman said:

I long ago formed the opinion that betting and gambling come next to drink (and doubt even if they are below it) in the measure of the curse they bring upon society.

In view of these opinions from the most distinguished jurists and social reformers in Great Britain, experience has brought them in personal contact with the sad conditions that exist, and which have been so well depicted by the Reverend editor of the Toronto 'Globe,' no hon. member of this House can shirk his responsibility by saying that the chief of police of Montreal says there is no evil consequence, or very little evil consequence from betting. Why, Sir, I was in Montreal last August, and September, and I was in the police court there when pickpockets in groups of four and five were arraigned before Judge Leet, as they were taken, not from the race-track, but from all the public places in the city, and it was Judge Leet's duty to send them back to their haunts of crime in the United States. The hon. member for Brandon (Mr. Sifton) has spoken about sanctified common sense, but in view of the opinions I have cited from these distinguished English jurists can any one say it is sanctified common sense to demoralize the young generation of this country in order that the breed of horses may be improved. Is it sanctified common sense to improve horses in Canada at the price of demoralizing the youth of our country? I submit it is not I support this Bill for the reasons I gave on the second reading, and the reasons I give to-night, and I hope and trust that it will become part of the criminal law of the country.

Motion agreed to, and House went into committee on the Bill.

Mr. TALBOT. Do I understand that we are going into committee now?

Mr. FIELDING. We are in committee.

Mr. TALBOT. It was very quickly and abruptly done. There is nothing gained by it. I move that the committee rise and report progress.

Mr. FIELDING. It is rather early. I think we might rise for the evening at about half-past eleven.

Mr. TALBOT. The discussion has been cut off very abruptly. I do not blame anybody. I supposed that the debate would have been adjourned between 11 and 12 o'clock.

Mr. FIELDING. I think the hon. gentleman can speak in committee.

Mr. TALBOT. Yes, but not with the same force or effect.

Mr. FIELDING. If we report progress now, the effect will be to leave the matter in the same position to-morrow. If any hon. gentlemen wishes to speak he can speak in committee.

Mr. STRATTON. I think the main object of the Bill has been accomplished by our going into committee, and if any hon. gentleman wishes to speak, I know of no reason why he should not.

On section 1,

Mr. McCOLL. As I intimated to the House this afternoon that I proposed to move an amendment when the Bill got into committee, I desire now to do so. Similar legislation to this was passed by the British House of Commons as recently as 1905 or 1906. Hon. members who have observed the Votes and Proceedings are aware that when this matter was before the special committee, an amendment was moved to the effect that the English wording of the proposed amendments to the Criminal Code should be adopted instead of the wording by the promoters of the Bill, which follows the American legislation known as the Hughes law. But I think it will be conceded by every one who gives the matter consideration that the English Act as drafted by Lord Davie is in much better form. What I propose to move carries out all the amendments proposed by the promoters of the Bill, except only the saving clause at the end, which provides that these amendments shall not apply to what takes place on a race-course during the actual progress

of a race meet. I move that the following clause be substituted for the provisions of the Bill:

The provisions of sections 226, 227 and 228a and of this section shall not extend to any person by reason of his becoming the custodian or depository of any money, property or valuable thing staked, to be paid to the winner of any lawful sport, game or exercise, or to the owner of any horse engaged in any lawful race, or to bets between individuals, or to records of bets made on the race course of an incorporated association during the actual progress of a race-meeting, if the following proviso be observed in regard to such meeting, namely, that no such race-meeting shall continue for more than eight days of continuous racing on days on which such racing may be lawfully carried on, and that not more than two race-meetings shall be held on the same ground in one year, which meetings shall be separated by an interval of at least twenty days between each race-meeting.

Without further discussion at the present time, I beg leave, seconded by Mr. Sifton, to move this amendment. I am moving to substitute the provisions of the English Act for the whole Bill.

Mr. GEORGE TAYLOR. May I suggest to the Minister of Finance, now that this amendment has been read, and it will be printed to-morrow in the Votes and Proceedings, where every member can read it, that the committee rise, report progress, and ask leave to sit again.

Mr. W. F. MACLEAN. I think the amendments ought to be printed before the House to carry out what my hon. friend from Gananoque (Mr. Taylor) suggests.

Mr. GEORGE TAYLOR. The amendment of my hon. friend has been read by the chairman. It is a new Bill altogether, taking the place of the Bill proposed. The House will then be in the possession of both the Bill and the amended Bill, and I think the committee should rise in the meantime.

Mr. FIELDING. I intimated some time ago that I would ask the House to adjourn at 11.30, and it is now close to that hour. I move that the committee rise, report progress and ask leave to sit again.

Mr. W. F. MACLEAN. Is it understood that the whole of the amendment as proposed by the hon. member for Northumberland will appear in the Votes and Proceedings?

Mr. FIELDING. Put them in 'Hansard' and let the hon. member read them.

Mr. McCOLL. I beg to move, seconded by Mr. Sifton, that the following be substituted for the Bill before the committee:

Sections 226 and 227 will remain the same. Section 228 will read as follows:

228. Every one is guilty of an indictable offence and liable to one year's imprisonment who keeps any disorderly house, that is to say, any common bawdy-house, common gaming-house, or common betting-house, or opium joint, as hereinbefore defined.

2. Any one who appears, acts or behaves as master or mistress, or as the person having the care, government, or management of any disorderly house, shall be deemed to be the keeper thereof, and shall be liable to be prosecuted and punished as such, although in fact he or she is not the real owner or keeper thereof.

228A. 1. Every one is guilty of an offence who frequents or loiters in streets or public places, on behalf either of himself or of any other person, for the purpose of book-making or betting, or wagering, or agreeing to bet or wager, or paying or receiving or settling bets, and shall

(a) In the case of a first offence be liable on conviction to a fine not exceeding $——;

(b) In the case of a second offence be liable on conviction to a fine not exceeding $——; and

(c) In the case of a third or subsequent offence, or in any case where it is proved that the person whilst committing the offence had any betting transaction with a person under the age of sixteen years, be liable on conviction to a fine not exceeding $——, or to imprisonment, with or without hard labour, for a term not exceeding six months, without the option of a fine;

and shall in any case be liable to forfeit all books, cards, papers and other articles relating to betting which may be found in his possession.

2. Any constable may take into custody, without warrant, any person found committing an offence under this section, and may seize and detain any article liable to be forfeited under this Act.

3. Any person who appears to the court to be under the age of sixteen years, shall, for the purpose of his section, be deemed to be under that age, unless the contrary be proved, or unless the person charged shall satisfy the court that he had reasonable ground for believing otherwise.

4. For the purpose of this section the word 'street' shall include any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not; and the words 'public place' shall include public park, garden, or seabeach, and any uninclosed ground to which the public for the time being have restricted access, and shall also include every inclosed place (not being a public park or garden) to which the public have a restricted right of access, whether on payment or otherwise, if at or near every public entrance there is conspicuously exhibited by the owners or persons having control of the place a notice prohibiting betting therein.

Sections 229, 230, 231, 232, 233 and 234 will remain as above set out, and section 235 will read as follows:

235. Every one is guilty of an indictable offence and liable to one year's imprisonment, and to a fine not exceeding one thousand dollars, who

(a) Uses or knowingly allows any part of

any premises under his control to be used for the purposes of recording or registering any bet or wager, or selling any pool; or

(b) Keeps, exhibits or employs or knowingly allows to be kept, exhibited or employed, in any part of any premises under his control, any device or apparatus for the purpose of recording any bet or wager or selling any pool; or

(c) Records or registers any bet or wager or sells any pool, upon the result

(i) Of any political or municipal election;

(ii) Of any race;

(iii) Of any contest or trial of skill or endurance of man or beast.

(d) Engages in pool-selling or book-making, except as hereinafter provided.

(e) Advertises, publishes, exhibits, posts up, sells, or supplies, or offers to sell or supply, any information relating to pool-selling, book-making, betting or wagering; or

Section 225e. Offers to sell any information relating to or intended for use in connection with betting or wagering, or who advertises or publishes any such offer.

(f) Aids or assists in any manner in any of the said acts which are by this section forbidden.

2. The provisions of sections 226, 227, 228a, and of this section shall not extend to any person by reason of his becoming custodian or depository of any money, property or valuable things staked, to be paid to the winner of any lawful race, sport, game or exercise, or to the owner of any horse engaged in any lawful race, or to bets between individuals, bets or to records of bets made on the race-course of an incorporated association during the actual progress of a race-meeting, if the former proviso be observed in regard to such meeting, namely: That no such race-meeting shall continue for more than eight days of continuous racing on days on which such racing may lawfully be carried on, and that no more than two race-meetings shall be held in the same grounds in the one year, which meetings shall be separated by an interval of at least 20 days between each meeting.

Mr. LANCASTER. We have here the proposal that sections 229 to 234 shall remain 'as above set out'. Does that mean as they are in the Bill of the hon. member for South Grey, or as they are in the Criminal Code?

Mr. McCOLL. As in the Criminal Code. I notice there is an omission—the penalties are blank.

Mr. GEO. TAYLOR. That can be done in committee.

Mr. W. F. MACLEAN. Before we rise, I would make a suggestion that the points at issue in this matter have been narrowed down to one, namely, whether betting can be allowed on incorporated race-tracks for seven or eight days at two meetings a year. In other words, the proposal now is that while last year we had over two hundred days racing, under the proposed amendment we are to have less than one hundred. If hon. members who are promoting the Bill will try to compromise the matter as has been suggested, we can get a settlement to-morrow morning without much discussion, that will be satisfactory to them, and to the country. If we do not reach a settlement of that kind, we shall have a prolonged and unsatisfactory discussion, and probably shall pass nothing.

Mr. STRATTON. No chance of a compromise on those terms.

Progress reported.

Mr. FIELDING moved the adjournment of the House.

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

Mr. FIELDING. We will resume consideration of this measure.

Mr. SPROULE. And what then?

Mr. FIELDING. Several of the government Bills, and, if Supply be reached, the estimates of the Minister of Public Works will be taken up.

Mr. GEO. TAYLOR. I would suggest that the Bill we have been discussing to-night should not be taken up the first thing in the morning, but should be left until three o'clock, so that we may read 'Hansard' and understand the matter better.

Mr. FIELDING. I think hon. members know all about it.

Mr. GEO. TAYLOR. A great many are not present. The afternoon would be a better time.

Mr. FIELDING. I think it would be better to take it up in the morning.

Motion agreed to, and House adjourned at 11.30 p. m.

HOUSE OF COMMONS.

THURSDAY, April 7, 1910.

The SPEAKER took the Chair at Eleven o'clock.

OTTAWA AND MONTREAL POWER TRANSMISSION COMPANY, LTD.

Mr. McCRANEY moved that the third report of the Select Standing Committee on Standing Orders be concurred in.

Mr. SPROULE. What does this report contain?

Mr. McCRANEY. If my hon. friend will refer to Votes and Proceedings of March 14th, he will see the report of the examiner

for private bills with regard to this Bill. That report is as follows:

Your examiner has duly examined the petition of C. M. Edwards and others for an Act of incorporation under the name of the Ottawa and Montreal Transmission Company (Limited), with power to generate electric and other energy and to construct a transmission line from Mattawa to Montreal by the north shore of the Ottawa river, with power to expropriate lands necessary for the purpose of their undertaking, and finds that amongst the powers asked for is the right to carry their transmission lines across the Ottawa river into the province of Ontario wherever it may be found desirable in the interests of the company to do so; as this power would carry with it the right to expropriate any lands required for that purpose the notice would, under the terms of rule 90 (c) have to be published in each locality in Ontario which might be affected by the exercise of their rights by the company, but no evidence that the notice has been so published has been submitted to your examiner; in all other respects the requirements of the rule have been complied with.

This came before the Standing Orders Committee yesterday. No evidence was submitted to the committee that publication of the notice had been made in the province of Ontario and the recommendation of the committee is that the company be given power only in the province of Quebec and not in the province of Ontario.

Mr. SPROULE I think it would be really advisable to let this stand over for a day that we may have an opportunity to look into it, because there is much about it not present to one's mind in looking over it hurriedly and for the first time. We do not know to what extent it may operate in an injurious way. A short delay will not prevent the measure going on.

Sir WILFRID LAURIER. Stand until to-morrow.

Mr. SPEAKER. Stand.

QUESTIONS.

Mr. A. J. GRAVEL, THREE RIVERS, QUE.

Mr. WALLACE:

1. Is the government aware that Mr. A. J. Gravel, federal inspector of weights and measures at Three Rivers, is, at the same time, said to be acting as a regular insurance agent, being one of the firm of Gravel & Spenard?
2. Does the government consider that a man can attend to insurance business and fulfil the office of inspector at the same time?

Hon. WM. TEMPLEMAN:

The government is not aware that Mr. Gravel is acting as a regular insurance agent, or that he is a member of the firm of Gravel and Spenard.

2. It will depend on the circumstances in each case.

Mr. JOHN E. SINCLAIR, SUMMERFIELD, P.E.I.

Mr. FRASER:

1. Is John E. Sinclair, of Summerfield, P. E.I., now or has he at any time been in the employ of the government? If so, what was the nature of his employment and what are his duties?
2. How long was he in the employment of the government and what was the date of his first engagement?
3. At what rate has he been paid?
4. How much has he been paid altogether since he has been so employed?

Hon. C. MURPHY:

1. John E. Sinclair, of Summerfield, Prince Edward Island, was appointed as a member of the commission sent to the United Kingdom and Denmark by the Department of Agriculture to study swine husbandry.
2. The term of Mr. Sinclair's engagement was from the 14th June to September 2nd, 1909.
3. Mr. Sinclair has received no remuneration, other than his living and travelling expenses.
4. The sum of $793.27.

SCHOOL SLATES AND LEAD PENCILS.

Mr. MACDONELL:

1. How many cases of school slates were imported into Canada last year?
2. What precautions does the government adopt to prevent the dumping into Canada of second and third class lead pencils, which it is alleged goes on at the present time?
3. Does the government adopt the same methods of appraisement and valuation of these goods as the United States customs officials adopt? If not, what is the difference?

Hon. Wm. PATERSON:

1. The imports of school writing slates into Canada for the year ended March 31, 1909, were valued at $29,340. The quantity is not stated in the statistical returns.
2. The usual precautions as to the production of certified invoices showing the fair market value as sold for home consumption are taken in the case of lead pencils entered at customs. The goods are examined and the invoices and entries reviewed by the appraisers to determine the proper duties payable. In the case of complaints, as to undervaluation of goods, investigations are made abroad by special officers to ascertain their fair market value.
3. While the methods of appraisement and valuation of goods in Canada and the United States bear a similarity in some re-

spects, the rates of duty on the lead pencils in question are not based on the same lines in both countries. The Canadian rates being ad valorem only, while United States rates are combined specific and ad valorem.

DREDGING INSPECTORS AT PORT ARTHUR.

Mr. ARMSTRONG:

1. How many inspectors had the government at Port Arthur and Fort William for the purpose of inspecting the amount taken away from each dredge last season, what are the names of each, and the salaries paid?
2. How many of said inspectors were on duty at night and what are their names?

Hon. WM. PUGSLEY:

1.

Dredges.	Inspectors.	Salary	Total.
		$	$
No. 5.....	Geo. L. Allan	4 00	720 00
No. 8.....	F. J. Flanagan.....	4 00	712 00
Dominion.....	Wm. McColl.....	4 00	780 00
No. 6	John Ryan	4 00	564 00
Dumping.....	Frank R. Miller.....	4 00	720 00
Nos. 5 and 8..	Colin McKenzie (May)	4 00	76 00
No. 15..	J. W. Cousins "	4 00	100 00
Kennaquhair..	"	4 00	376 00
Frank.....	Thos. McCall	4 00	268 00
No. 15.....	D. E. McKay.....	4 00	552 00
			4,868 00

2. There was no night work done last season.

CUSTOMS COLLECTOR AT MAHONE.

Mr. R. L. BORDEN.

1. Has the collector of customs at Mahone been recently dismissed or removed? If so, when and for what reason?
2. Who has been appointed in his stead?

Mr. PATERSON. The answer is no.

DREDGING IN NEW BRUNSWICK.

Mr. CROCKET:

1. Were tenders called for the dredging done at Bathurst, New Brunswick, by the firm of A. & R. Loggie in the season of 1909?
2. If so, how many tenders were received, from whom, at what prices and when were the tenders opened?
3. When was the work commenced?

Mr. PUGSLEY:

1 and 2. In 1908 Messrs. A. & R. Loggie offered to do the dredging required at Bathurst at the same prices as those of their tender for Caraquet, viz.: rock, $3; other materials, 41 cents; which were considered fair and reasonable. A contract was entered into with them and renewed in 1909.
3. May 10, 1909.

Mr. PATERSON.

Mr. CROCKET:

1. What amount is claimed by the firm of A. & R. Loggie for dredging done at Campbellton, New Brunswick, since the close of the last fiscal year?
2. What was the contract price per yard for said dredging?

Mr. PUGSLEY. My hon. friend will observe that the question is what amount is claimed for dredging since the close of the last fiscal year. As the last fiscal year closed on the 31st March the answer would be nothing. I presume my hon. friend means during the last fiscal year?

Mr. CROCKET. Yes.

Mr. PUGSLEY:

1 and 2. During the last fiscal year dredging was done at Campbellton, New Brunswick, by Messrs. A. and R. Loggie to the amount of $4,947.60, at the rate of 50 cents per cubic yard.

ESCHEATS TO THE CROWN.

Hon. A. B. AYLESWORTH moved that to-morrow the House go into Committee of the Whole to consider the following proposed resolution:

Resolved, that it is expedient to provide, in case of escheats to the Crown, that out of any property so devolving the Governor in Council shall have power to make such grants as seem right;

(a) To any person having a legal or moral claim upon the previous owner or a just or natural right or claim to succeed to his property.

(b) To carry into effect any disposition of such property which the previous owners may appear to have intended.

(c) To reward any person making discovery of such property to the Crown.

Mr. GERVAIS. Before this resolution is passed I would like to say that I think it involves an encroachment on the vested rights of the provinces. I think it is one of their minor prerogatives to benefit by escheats.

Mr. SPEAKER. No debate can be allowed now. This is merely a government notice of motion.

Sir WILFRID LAURIER. This is to escheat a property in our own territory, not in any province.

Mr. GERVAIS. But there is no such limitation in this resolution showing the tendency of the Bill to follow, which will prove to be ultra vires. With regard to that I may join issue with my right hon. friend. It is not for this parliament to decide whether these properties which are left in 'déshérence' should be attributed to the federal jurisdiction or to the provincial jurisdiction. I think it is one of the minor prerogatives of the Crown which must not be confounded with the higher prerogatives

of the Crown. So it was held in the case of the Attorney General of Quebec and Monk, and in that of the Attorney General of Ontario and Mercer, and it was so decided by the Privy Council. The minor prerogatives of the Crown are always governed by the civil laws of each province.

Mr. SPEAKER. No debate can be allowed at this stage.

Sir WILFRID LAURIER. These properties are in the Yukon.

Mr. GERVAIS. Even if they are in the Yukon, there might still be great cause of doubt. The English exchequer might claim them.

Mr. SPEAKER. The hon. gentleman will remember what I said, that no debate can take place at this stage.

Mr. GERVAIS. But I have a right to join issue with the minister.

Mr. SPEAKER. You can do that tomorrow.

Mr. GERVAIS. I have a right to give an answer to a question put to me, for the right to question implies the right to answer.

THE NAVAL SERVICE OF CANADA.

Sir WILFRID LAURIER moved that tomorrow the House go into Committee of the Whole to consider the following proposed resolution:

Resolved, that it is expedient in connection with Bill (No. 95) An Act respecting the Naval Service of Canada, now before this House, to provide that 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 that the Governor in Council may appoint an officer to be the deputy head of such department at a salary of $5,000 per annum, and such other officers and clerks as may be requisite for the due administration of such department, at such salaries as, under the Civil Service Amendment Act, 1908, are appropriate to the divisions and subdivisions of the services to which such officers and clerks may be assigned.

Motion agreed to.

RACE-TRACK GAMBLING.

Sir WILFRID LAURIER moved that Item 38 of the Public Bills and Orders be now called.

Mr. W. F. MACLEAN. I would ask the leader of the House how long we are likely to be engaged on this Bill, or has any agreement been reached as to how long it should occupy the attention of the House to the delay of other business which is perhaps more important and more pressing.

Sir WILFRID LAURIER. There is no objection from anybody. This Bill, like all other Bills which are submitted to the House, will receive a reasonable consideration.

Motion agreed to, and House went into Committee on Bill (No. 6) to amend the Criminal Code.

On section 1,

Mr. W. F. MACLEAN. I only intend to take up but a short time in discussing this Bill, as I am anxious, like every one else, to reach a settlement. I believe a compromise may be reached which will be satisfactory to the country, and which ought to be satisfactory to both parties in the House. If the compromise proposed last night by the hon. member for Northumberland (Mr. McColl) is accepted, we will have in this country less than 100 days of racing where now we have over 250 days. We will have the hand-book eliminated and made criminal, we will have tipsters' advertising and tipsters' offers of information prohibited, we will have the advance information in the pool-room prohibited, and the time for racing will be reduced from 250 days to less than 100. Then we will have an opportunity in the next few years of seeing whether that does not substantially reduce the abuses that now exist. I wish to draw attention to the issue as it exists in this country. While you may by this legislation be stopping betting, you may stop racing by stopping betting, and if you stop racing you are not going to stop betting. That is clear to my mind. It has been attempted before, it has been attempted in other states to stop betting by prohibiting racing, and the attempt has failed. Where such Bills have been passed in the states, betting still continues, only it moves in another circle where you cannot control it as well as you can now. To my mind, this measure will be absolutely futile in the object of stopping betting. Betting is more or less inherent in humanity, people will find a way of betting and, of all forms of betting, that which should be stopped because it is the most scandalous is the betting on the stock exchange. There is far more money lost, there is far more injury done to the public and they have a poorer chance for their money in betting on the stock exchange than in betting with the book-makers on the race-track.

Mr. CONMEE. Will this Bill not reach the stock exchange?

Mr. W. F. MACLEAN. I do not know whether this will reach the stock exchange or not.

Mr. GERMAN. No, no.

Mr. CONMEE. Who says 'no?'

Mr. GERMAN. I do.

Mr. W. F. MACLEAN. I am quite sure that this Bill will not stop betting, but it is possible in every British community to regulate any evil. There is a betting evil in this country—we all admit that—there is a betting evil in connection with race-tracks, and the way to meet that evil, and to minimize it, is to regulate it and not attempt to abolish it. We do know that the most satisfactory treatment of the drink evil is the regulation of the drink traffic, and in Ontario and the different provinces we have, not prohibition, which has been found a failure, but we have the regulation of the drink evil which is a success, and under that regulation the drink evil is being gradually minimized. It is on those lines that we should approach this evil of race-track betting and we should minimize it by putting under regulation the conduct of race-meetings controlled by men who take an interest in racing, on its merits, and an interest in stock breeding, and that regulation would best be effected by the amendment of the hon. member for Northumberland (Mr. McColl). While you stop racing, as you do by this sweeping law which is now before the House, you do it at the expense of horse-breeding. I thoroughly agree with the hon. member for Brandon (Mr. Sifton) in his contention last night that an injury is done to the breeding of horses by the stopping of racing. I have represented in past years the constituency in which the Woodbine race-track is located. I have known a good deal about racing and horse-breeding in the country, and I absolutely agree with the evidence and the statement of the hon. member for Brandon, that horse-racing in some way, is necessary for the maintenance of the thoroughbred horse, and that the thoroughbred horse is the greatest asset in connection with racing horses and the horse industry in this country. I am not going to enlarge upon it. I have had a wide enough experience of it to know—although I do not know what the reason is and nobody can account for the anomaly—that the perpetuation of the thoroughbred horse does tend to carry on the qualities of endurance and stamina which are the ground work of all the lighter breeds of horses. All the good military horses, whether chargers, or cavalry horses, absolutely derive their stamina, endurance and courage from the thoroughbred horse and the more thoroughbred horses we have in this country the better able we are to provide good horses for the army of the empire and our own militia forces.

Sir WILFRID LAURIER. And thoroughbred men.

Mr. W. F. MACLEAN. And thoroughbred men. The country that has done that most effectively is Great Britain. Their horses are the best in the world, and they are taken all over the world for military and breeding purposes. Horse-racing is a very old British institution. It has been identified with British life hundreds of years, and it has never been a crime in England—and a great many of our people come from the old land—to bet with the book-makers at race-meetings. In some way horse-racing and the breeding of the thoroughbred are at the bottom of British character. All through British literature you will find these things mingling the world over, and they are represented as the real things at the foundation of British character. There is a love of the country, there is a love of thoroughbred animals, a love of live stock, a feeling of chivalry and military prowess in the British character that in some way is identified with horses and in some way is maintained by horse-breeding and the traditions that go with it. The things that have carried the Britisher wherever he has gone have been his military prowess, his chivalry, and his devotion of horse-racing and sport. These have been at the foundation of British character. It is no new thing—this desire of the British people to give race meetings, or to find sport in race meetings and betting on horses. It is almost as old as British character itself, and it runs through all our literature. Through the general literature of the entire world, in some way, there is a regard for horses and a desire to be associated with horses and identified with chivalry, military prowess and things of that sort. The desire of the ordinary British citizen to go to race meetings, to see contests between horses and to bet on horse-races is a part of the British character, and I do not see why we should interfere with that desire in the way that is proposed in this legislation. The Britisher values above all things his liberty of personal conduct and he resents the attempt of somebody else to interfere with it. Wherever he has gone, in Australia, in Canada, in South Africa, in India, the Englishman has taken his racing instincts with him, he has taken racing there and he has done nothing of which he ought to be ashamed, but, on the contrary, he has maintained those underlying features of British character which are the strength of British character and British government throughout the world. So, this proposition to do away with horse-racing, to prevent people from going to the races and betting occasionally upon a race involves the placing of a stigma on British character and on things that are at the foundation of it. I happened to know the men who were identified with the starting of the Ontario Jockey Club. They were men of high character. They recognized the fact that

the British public must have sport, that the British public is essentially a sport-loving public and men like the late Mr. Hendrie, the late William Christie, the late Sir Casimir Gzowski, and the late Charles Brown, and the late T. C. Patteson, who established the Ontario Jockey Club had no desire other than to see British institutions and traditions maintained in this country through racing with which they had been identified. They recognize that the public had to have racing and they were willing to take charge of racing in Toronto and to give the public good clean sport of that kind. They succeeded in giving it. The finest social gathering and the most characteristic gathering to-day in all Canada is that which you will see at the Woodbine race track during the spring and fall meetings. This is essentially a representative Canadian meeting. It is a meeting of the best collection of men and women that I have ever seen at any place in Canada and to bring within the Criminal Code by this legislation now before the House those gentlemen who established racing in Canada and those people who go to the Woodbine race track, Toronto, is to stigmatize the very best citizens of this country who are simply living up to the traditions of their race, to their rights as British subjects and are doing nothing criminal whatsoever that I can see. It is a pretty hard thing and a thing to be considered with some care, this going out of one man to make a rule of life for his fellow, to stigmatize anything that he thinks he does not agree with and to put that fellow within the Criminal Code.

The greatest manifestation of the strength of British political character to my mind in so far as our government is concerned, was in what we call the puritan or the presbyterian, or, if you like, the Protestant idea which developed in England many years ago. This idea was the absolute freedom of the individual, his freedom of conscience, his right not to be dictated to by any one, and the right to make the rule of life for himself. As long as the puritan idea was political, and maintained that liberty things were all right. And the puritan did another thing, he applied his self-denying ordinances to himself, and as long as he did that he was the greatest force in politics, and in morals. But the moment the puritan proposes to make the rule of life for some one else, for you, for me, he transgresses, he abnegates the great position he has, and he becomes somewhat of a tyrant. The strength of British character is shown when the puritan idea is political, and maintains its great principles, when the puritan idea manifests itself by self-control, and self-denial, but the moment it abandons that, and undertakes to regulate the personal conduct of others, it has failed. That is at the bottom of what is happening in this country. A number of people outside of the cities where racing is carried on are asking for this legislation. The cities have not petitioned for this, one-seventh of the population of Canada is in the cities where racing takes place and not a call comes from any of these cities. In other words, outside places are undertaking to dictate the rule of life to the rest of the people in regard to their personal conduct on race-tracks. That is not liberal, that is not British, and, as the hon. member for Brandon (Mr. Sifton) said yesterday, there is no moral sanction for any such law when an attempt is made to put it in force in a British country, and you must have a moral sanction behind a law if you wish to vindicate that law.

Mr. MILLER. Is my hon. friend aware that within the last two weeks a meeting of 400 young men of the city of Toronto at which Sir William Mulock was chairman, passed a standing resolution in favour of this Bill?

Mr. W. F. MACLEAN. That may have been so, but that is not from the citizens of Toronto.

Mr. MILLER. From 400 of them.

Mr. W. F. MACLEAN. If they had wished for this we would have heard it here, and I challenge the hon. gentleman, if he wishes to advance this Bill, to bring the people here.

Mr. STRATTON. Toronto's opinion is no criterion.

Mr. W. F. MACLEAN. Toronto is a criterion for its own conduct.

Mr. PROULX. Is the hon. gentleman aware that the grand jury——

Mr. W. F. MACLEAN. Yes, I am aware of what the grand jury did. What the hon. gentleman wants to do, and is at liberty to do is to regulate his own conduct, and make the law of life for himself, but I wish to be free as a British citizen to make my own rule of conduct, and not to be interfered with in it.

In order to show where the American character begins to differentiate from the British I may say that in the United States they are attempting to abolish betting on race-tracks. It became such a scandal that the legislature had to intervene, and that interference took the drastic form of abolishing it. That course has not succeeded. But there is this difference between the American character, and the British character. In the British character there is a love of liberty, and British institutions are a success. There is a failure in personal liberty in the United States, and the result is that American institutions are called

into question. I read a book last year by Captain Lee on 'The Ignorance of Valour,' and the whole lesson of that book is that the Americans no longer have the fighting quality, that if they were to go to war with Japan to-morrow the Americans would be defeated, because they have lost their love of liberty, and largely their military prowess. I have here an extract from another American who has been in England, and studied British institutions. This book is by Mr. Price Collier, and is entitled 'England and the English, from an American point of view.' It is one of the ablest books on the English character, and the condition of things in England that has been written in many years. Mr. Collier is forced to admire the conditions of affairs in England. He says:

> Sitting on the bench at Bow street with the magistrate, I listened all one morning to his disposal of the cases that came before him. It seemed to me when I left that I had known beforehand what would happen. Quarrelsome women and men, mostly through drink; men and children accused of begging; a few cases of assault or resistance to the constable; all of them, hour after hour, dealt with in a good-tempered, paternal sort of way, with appeals to their own sense of what was right. Only the cases where there had been resistance to the constable who represents British law and order, then hard labour and wholesome punishment.

Here is the point:

> Always the same from the King to Bow street. How can we live together amicably, with the utmost freedom for each one? that is the problem. The practical result is—you see it if you have eyes, everywhere you go—a success.

Englishmen are at all times trying to live together and to give each other the greatest freedom and they do give one another the greatest freedom from the King down. Any one in England can go on a race-track and be doing nothing immoral; he need expect no interference from any one else. But we are setting up the doctrine in Canada that in some way it is our duty to interfere with the personal liberty of one another, and exercise some kind of surveillance one over the other. As the hon. member for Brandon (Mr. Sifton) said last night, if that is started in this country, if we commence passing such legislation in this House, putting the conduct of one another within the Criminal Code, where is the end? Let us respect the liberties of one another, and maintain those liberties; let us maintain most of all those personal liberties which we have. That ought to be the end and aim of our life in this country, to afford liberty and not to afford restriction. There is nothing to-day that forces any man to go to a race-track and bet. People must learn self-control, and if anybody is unfortunate in going to race-

tracks he ought to blame himself rather than the law. We ought to educate our people, our young men especially, to avoid betting and control themselves so that they will not fall into such a trap. If a master finds a clerk addicted to race-track betting, he ought to discharge him or speak to him instead of seeking legislation. Betting is good for no one, but if an individual wishes to make a bet on a race-track in connection with a meeting he is attending, I say he is doing nothing immoral, nothing un-British, and there is no reason why his conduct should be stigmatized as being illegal or criminal. In the United States they are confessing a lack of military prowess and confessing that in some way Japan may defeat them if they should go to war, and they are trying to improve character by putting restrictions on it, while at the same time the great public rights and liberties that should be maintained are disappearing, and a government by monopoly worse than any government by aristocracy is growing up in that country. Private rights are going, public rights are going, but the tyranny of the great trusts and corporations is growing, yet at the same time they are trying to stop horse-racing, which is one of the simple amusements of the people.

I shall not take up much more time but may speak a little later on the various propositions as they come up, but I wish to impress if possible both those friendly to the Bill and those opposed to it that a compromise is the way out of the situation. We can reduce races to less than a hundred days in Canada, we can abolish the attendant evils, and then see the result of the experiment. If in the next three or four years the evil of betting, under the proposed amendments, should become flagrant, we may then bring it under the Criminal Code, but I do not think that will be found necessary. I believe in regulation and not in prohibition, and under the proposed amendment, two great interests will not be destroyed as they would be by the Bill of the hon. member for Grey. If that Bill should be adopted, the horse industry would be injured and those who invest money in racing would stand to lose, and a great public sport would be legislated out of existence. There will besides be a disposition on the part of a great many in this country to regulate the conduct of others. I would not like to see anything of that kind. What we require is to preserve personal liberty in every possible way. If there be any grievance, regulate it, but preserve personal liberty, because personal liberty is the foundation of the British character and the secret of the strength of British institutions. When a drastic measure is proposed, when it is proposed to stigmatize a large and re-

spectable section of the community as criminals, there ought to be some kind of moral sanction established to justify that interference, there ought to be some strong public opinion that the thing aimed at is immoral and criminal. I do not know that public opinion is ready to stigmatize the attendance at a race-track as a criminal practice. That is not the case in England. The first gentleman in the empire has been quoted as in some way condemning race meets. I would like to see the hon. member for South Grey quote anything from the eminent personage to show that he was against horse-racing or to betting as an incidental in connection with it. Let me refer to the opinions of another eminent Englishman Lord Rosebery, but before doing so I shall read another short extract from 'Collier's' work on England and the English.

The English common sense comes to the fore again in an attempt to solve this problem. She is old enough to know from experience that the world is still ruled by men, and in all probability will be for a long time to come. She breeds men therefore as strong and simple as she can. In these islands sport is not a dissipation for idlers, it is a philosophy of life. They believe in it as a bulwark against effeminancy and decay.

There is the very statement I was making a short time ago. The Englishman believes in sport as a bulwark against decay and effeminancy. The Duke of Wellington said that Waterloo was won on the Eton cricket ground. The English military reputation has been attained by men which were fond of the horse and addicted to sport. Let me give an incident in connection with Lord Rosebery:

A Congregational minister makes a speech in which he confesses to 'a feeling of bitter humiliation' when he reads that the Prime Minister is the owner of a Derby winner, and stands to win or lose thousands of pounds on the race. Lord Rosebery's attention having been called to this speech by a political opponent, he replies as follows: 'Sir, I am desired by Lord Rosebery to thank you for your letter and its inclosure. He will offer no opinion on the latter, for these matters should be dealt with according to good taste, Christian charity, and knowledge of facts possessed by each person who touches on them.' The letter is signed by the Prime Minister's secretary.

According to Lord Rosebery, Christian charity should be exercised, and we ought not to attempt to stigmatize a man because he happens to own a race-horse and attend a race-meet.

Lord Rosebery is one of the most accomplished Englishmen of the day; he considers it lacking in Christian charity to abuse him for owning and breeding a great race-horse. So do probably more than nine out of ten of his countrymen. From top to bottom of English society, from the Prime Minister to the Yorkshire footballer, sport is almost as much a part of the national existence as eating and drinking.

If there be an evil in connection with sport, let us get rid of it by regulation. And if you regulate horse-racing, as proposed in the amendment, you will introduce nothing improper and do no wrong, and you will not stigmatize decent people as coming within the Criminal Code. I resent the insinuation that my fellow citizens of Ontario, and especially Toronto and the surrounding district, are to be stigmatized and put within the Criminal Code.

Mr. SINCLAIR. Does my hon. friend understand that book-making is in the Criminal Code? He says that every one connected with horse-racing in Ontario is stigmatized by the provisions of this Bill. To whom does he refer?

Mr. W. F. MACLEAN. First of all there are my fellow citizens of Toronto who belong to the jockey club. The hon. member from West Toronto (Mr. Osler) is on the executive of that club, so is a senator in the other House. There are other gentlemen on its executive, and who actually bet on the race-track, and if the hon. gentleman's Bill should carry these will be stigmatized as doing something illegal and immoral. Every one who goes on a race-track is stigmatized as guilty of an immoral act. Every one who goes to a race-meet will be so stigmatized.

Some hon. MEMBERS. No.

Mr. W. F. MACLEAN. Yes, especially any man who wishes to bet

Mr. SINCLAIR. I do not so understand the Bill. The only prohibition in the Bill is against the book-maker, not against the bettor. There is no pretense to stigmatize the private individual who chooses to bet. The sportsman who goes to a race and finds another sportsman to bet with him is at liberty to do so. What is made criminal is the book-maker and no ont else.

Mr. W. F. MACLEAN. On the contrary, eminent personages in this country have been held up to the people as guilty of moral wrong because they attended the Woodbine. I say there was nothing wrong in that. I have no sympathy with people who undertake to make a rule and law of conduct for others. There is a way of reaching this thing as an evil, and I hope to hear an explanation from the Minister of Justice (Mr. Aylesworth) regarding that letter of his which was read here yesterday. There is a way by which each province can regulate these things. Certainly making acts innocent in themselves criminal is not the way to accomplish anything, and I hope this House will not begin the work of undertaking to regulate the

personal conduct of individuals. I appeal to the common sense of the House not to begin this work, but to maintain and preserve personal liberty. Let every man make a rule of life for himself. There is no compulsion on people to go to race-tracks and bet, and there is no reason why their personal liberty should be interfered with, either as regards attending or refusing to attend race-meets. I have had some experience in Ontario of this attempting to make the law of conduct for other people. Take the instance of the Sunday street cars, which excited so much hostility, but which resulted in the people at last winning the right to travel on Sunday. We were then told that we were doing something immoral, that public opinion was against us, that the cars should not be allowed to run on Sundays under any circumstances, but the public will finally gain its end. What we ought to have is not tyranny, but regulation. So I appeal to the common sense of the House to regulate race-meets and not abolish them. I appeal to the House not to interfere with property and private interests, and with such a great industry as horse-breeding.

Mr. J. R. STRATTON (West Peterborough) I had intended last evening making a few observations, but on account of the abrupt way in which the debate closed, I did not feel it was desirable to detain the House at that time. This question has been before the country for a considerable time. I have listened to the speeches of those opposed to this measure; and giving these gentlemen all the credit for the ability they have displayed, which was very great, in my opinion they have been inconsistent in the arguments they put forward. When an hon. gentleman says that public opinion is not in favour of this Bill, I desire to take issue with him. When the hon members for Brandon (Mr. Sifton) and West Northumberland (Mr. McColl) pointed out that public opinion is not in favour of this Bill, I desire to dispute that statement; and I venture to say that my hon. friend who has just sat down (Mr. Maclean) cannot name five newspapers in Ontario which are opposed to the principle of the Bill. On the other hand, I can name dozens which have urged the adoption of this measure, because it is in the right direction, and because great evils have grown up under the present law. My hon. friend from West Northumberland (Mr. McColl) referred to the thieves and other doubtful characters who attend the Toronto and similar exhibitions. Let me point out that the Attorney General of Ontario sends to such large gatherings detectives and others to protect the public. But if the amendment be adopted the very reverse will be the case. The hon. gentleman desires, as far as race-tracks are concerned, to legalize the very causes which attract thugs and thieves to the race-tracks and public exhibitions held from time to time. He referred to the fact that the bookmaker, would be in the same class as the dangerous characters referred to as frequenting large gatherings, so far as access to large assemblages of the public would facilitate the opportunities of his plying his admittedly nefarious occupation. The opponents of the Bill, in the proposed amendment, seek to aid and, if it prevails, will legalize book-making on the race-course. It will license him, it will protect him, while the Bill proposes to do away with the bookmaker, and thus protect those, unable from lack of knowledge or experience of the snares set for them, to protect themselves. Horse-racing, as conducted in Ontario today, can be altered and improved, and a new method adopted by which horse-racing will not be interfered with, but the root of all the evil, the book-maker and book-making, will be abolished. I do not desire to interfere with racing, or the development of the thoroughbred, but I do not believe that it is at all necessary for that purpose to have book-makers on the race-track to rob the public, to contribute to the racing associations, and furnish the purses to be given on the pretext of developing the thoroughbred horse. I do not believe that is at all necessary and consequently I am opposed to any compromise that will have the effect of perpetuating book-making. New York state was referred to by my hon. friend from West Northumberland (Mr. McColl). He pointed to the conditions now existing there and the loss of prestige of the thoroughbred horse owing to the abolition of legalized gambling. Well, there may be a loss of prestige temporarily, there may be a diminution in the value of the thoroughbred as a racer, but there is no reduction in the actual value of the thoroughbred, that I know of, in the state of New York at present. It is not often we look across the line for precedents, but, if we should do so in this case, we would find that the state of New York is not thinking of abolishing their law, but of amending and improving it, so as to make it even more effective than it originally was.

During the Easter vacation I was in New York and took occasion to ask—not the goody goody people, as they are sometimes termed—but men of business whom I met in the financial world—I took occasion to ask them as to the result of the operation of the Hughes law. I asked them was it the goody goody people that were particularly responsible for the passage of that Act. I was informed to the contrary, that of course their moral support was with the Bill, but that the business houses and financial institutions that gave their

support most earnestly to the adoption of the Hughes law were those whose influence was behind its adoption; and it was further stated that those who were previously giving their attention to the race-track and losing their money, were now paying their debts, butchers' bills and rents more promptly than they ever did before. If that be the case across the border I think these conditions could be imitated on this side of the line to advantage.

My hon. friend from Hamilton (Mr. Barker) went on to make a comparison between gambling at the race-track and betting on an election. I do not think there is any comparison between the two. If a man desires to make an innocent bet, on the result of an election to show his faith in the candidate of his party, he has all the previous conditions surrounding the candidate to guide him. He is not held up by the book-maker, but banks on his own judgment, founded on his knowledge of the popularity of the candidates, and the local conditions.

If he desires to bet upon that question he is backing up his political faith. Also, he has an opportunity of judging of the merits of the candidates and of the questions and issues before the people. Making an ordinary bet, he makes it under conditions entirely different from those which face the average citizen who goes to the race-track and makes his bet with the book-maker, for that average citizen has but little chance of winning. The hon. member compared the making of a bet with a book-maker and the purchase of stock with a stock-broker. I think there is no comparison whatever. If a man goes into a broker's office and buys stock, he gets what he pays for. He may be mistaken in his judgment as to the value of the stock, or he may buy more than he is able to take care of. But it is only when he fails to pay his debts that the wrong comes in or an injury is done to any other person. The hon. member also referred to life insurance. Again, I say, there is no comparison whatever. The man who takes out life insurance gets what he pays for. The amount is paid to his heirs at his death or to himself at the maturing of the policy, as the case may be. In either case, he has paid for what he gets, and he gets no more than he has paid for. It is true, as one hon. member said early in the debate, that there is more or less of a chance in any business occupation upon which a man may enter. If a man takes up the dry-goods business he may make a mistake in the quantity, quality or selection of the goods he buys. But in every business a man has an opportunity to exercise his own judgment and in making a purchase, he gets what he pays for. Not so when he deals with a book-maker on the race-track.

My hon. friend from Brandon (Mr. Sifton) spoke of what he called the peculiar method adopted for the promotion of social reform as evidenced in this Bill. The hon. member quite approved of the action of parliament in passing the Lord's Day Bill of a few years ago. But I would ask him to point out any single difference of principle between that measure and this. One is in the interest of the public, and so is the other, and if the Lord's Day Bill is right, there is no doubt, in my opinion, that the present Bill is right also. The hon. member (Mr. Sifton) spoke of the thoroughbred horse and its importance to the farmer, and he also mentioned, if I remember right, the Ottawa association as one that had afforded the farmers in the neighbourhood special opportunities for the improvement of their stock by the use of the thoroughbred horse. We know that the farmer does not use the thoroughbred horse to any great extent, and, if what the hon. member says concerning the Ottawa association be correct—and, of course, I fully accept what he says on that subject—it only shows a desire to create in the farmer's mind an impression that the thoroughbred horse can be useful to him. The hon. member for Brandon also said that confiscation of property was involved in the passing of this measure. If there be a confiscation of property in the difference between 10 per cent and 10,000 per cent on the stock of these racing associations, then there may be an appearance of confiscation. But I contend that there is no real confiscation of property by the adoption of this measure. While there may be a depreciation to some extent in the value of a few of the thoroughbred horses throughout the country, there is no other confiscation that can be so recognized. This parliament, or any legislature, does not hesitate for a moment to amend the law affecting any business, but bases its legislation simply upon considerations of the public interest. And nothing is said against their so doing. If the parliament of Canada can reduce to a minimum the evil of book-making from one end of this country to the other by the adoption of this measure, I believe they will be doing something that will be in the right direction, something for which they will have every reason to expect the approval of the overwhelming majority of the people.

My hon. friend from West Northumberland (Mr. McColl) has proposed an amendment, the effect of which would be to legalize race-track gambling in its entirety. He would give to race-track associations a monopoly of the betting on horse-racing in this country. And, while my hon. friend from South York (Mr. W. F. Maclean) is willing to extend the privileges to those who are able to attend the race-meets of the Ontario Jockey Club in Toronto, yet his regard for liberty of action and of speech is not sufficient to cause him to

extend this privilege to others who may not be able to attend the race-track. He would confine the privilege to the favoured few who occupy the position and can wear the good clothes necessary to attend the meets of the jockey club, but his attitude is entirely inconsistent in that he desires to take away from the great public the advantages—if they be advantages—of making bets with professional book-makers off the race-track. But in this amendment there would be enormous and manifest advantages to the proprietors of these race-tracks. If this amendment is to be adopted, and there is to be no compromise whatever upon that line, I say the five associations of the province of Ontario should pay to some authority, for the privileges they would enjoy for the monopoly they would enjoy—at least $100,000 per annum. That would be a small license fee indeed for the monopoly of book-making. That $100,000 could be devoted to the development of the Clyde, the Percheron, the Hackney, the French horse, or any of the other breeds of horses that, as the evidence before the committee went to show, would serve a far more useful purpose to this country than the thoroughbred horse. I do not desire to take up time in considering the value of the thoroughbred horse to this country. But while I do not underestimate the value of the thoroughbred, I do say that the evidence before the committee showed that a great majority of those who gave evidence on this subject believed that the thoroughbred horse was not the horse that the farmer desired to have developed, but that they were favourable to the other classes of horses that I have just mentioned.

The hon. member for West Northumberland (Mr. McColl) is willing to prohibit all the evils which the Bill is designed to prohibit, because he accepts and adopts the principle of the Bill by admitting the evils that are known to exist; he is willing to see them abolished, but he is at the same time willing that the root of all the evils on the race-track itself shall be retained by giving racing associations the privileges allowed by the proposed amendment. While the Bill of my hon. friend from South Grey (Mr. Miller) aims to make race-track betting a criminal offence; there must be some way of giving effect to the object aimed at in this Bill, and if there is any other means by which the same results can be effected without making it a criminal offence, then I am perfectly satisfied that such a course should be adopted. But I do not think it is possible for this parliament to allow the conditions to continue that have existed for years throughout this country without giving some relief to the public. There is a strong feeling in favour of this Bill. The hon. member for Brandon (Mr. Sifton) may desire to minimize that feeling. I think I have as good opportunities for gathering the state of public opinion as any one, and I think that seventy-five per cent of the people of Canada are in favour of this Bill. If a vote were polled to-day in the province of Ontario, eighty per cent of the people would vote for the principle of this Bill, that is, the prohibition of book-making and race-track gambling; and I think that the other clauses of the Bill are also necessary. My hon. friend, in his amendment, desires to make it a crime upon the street or in any other place where book-makinig may be carried on; but where the lambs are all gathered together, where the public are assembled, there he is willing to see them fleeced. He is willing to allow the book-maker to have his privilege, and the racing association have their advantages and to be taken care of, as we know they have been taken care of, sneaking sarcastically, in the past. We do know that if the privileges are given to the racing association that the amendment proposes to give them, instead of book-makers contributing to the racing association $150 a day, they will be asked to contribute over $200, because the advantages to the association would be so great that they with the monopoly provided in the amendment would not, from a business point of view, forego the opportunity. If I am not incorrectly informed, the associations had intended before this legislation was proposed in the very near future, perhaps this season, to increase the price of privileges to the book-makers. The amendment recognizes all the evils that the promoters of the Bill have pointed out, and they are willing that these evils shall be wiped away. So far so good. But if I understand the Bill, and the shape the amendment has taken in the last clause, it is an amendment to wipe out all the advantages that the Bill would otherwise confer. For example, clause 2 says that the prohibition shall not extend to bets between individuals. Is not a book-maker an individual? Of course he is, and betting would go on to the same extent as it would under the present law.

Mr. McCOLL. The promoters of the Bill emphatically state that it is not meant to prohibit private betting, which I understand to be bets between individuals. In other words, a man who had a reputation as a book-maker in the United States could come here and start operations as a private individual. How are you going to make a distinction?

Mr. STRATTON. Under the Bill of my hon. frienl from South Grey, he would not be able to carry on private betting to any considerable extent, but if this amendment is adopted it is sufficiently wide to enable

book-makers to do all the business they desire to do. I think that would be found to be the case, and that they would be able to drive a coach and four through this Bill, as they have done in the case of other legislation. Again the amendment says:

Any constable may take into custody, without warrant, any person found committing an offence under this section, and may seize and detain any article liable to be forfeited under this Act.

You might as well say that any constable on the Kingston road may take into custody, without warrant, any person, because if the person is carrying on betting outside, then he can be taken and carried off unceremoniously to prison. That is what my hon. friend advocated a moment ago. But if the individual is inside the track, if he has the advantage of the law so that he may get inside the racing inclosure, then he is free and is at liberty to carry on betting to the fullest extent. I am absolutely opposed to the amendment. I think it kills the principle of the Bill, and I think the desire of the House is that we should adopt the principle of the Bill. I think it is the duty of this parliament to afford the people the protection to which they are entitled. We are not interfering with the rights of anybody further than is necessary in the public interest, even though the Bill went to the fullest extent desired by its most ardent supporters. I believe it should be adopted, and that by doing so we would be meeting the wishes of the vast majority of the people of Canada. I care not whether the Bill has been advocated by the Lord's Day Alliance, or by certain clergymen, or whether petitions have been sent in. We do know that this House was flooded with petitions at the commencement of the session. We are all able to judge of their value. But for us to say that there is no public sentiment in favour of the Bill is a mistake, and any hon. gentleman will deceive himself if he entertains that opinion. There is a strong public sentiment in favour of it, there is a strong feeling throughout the country that something should be done to protect the innocent, to protect those who are unable to protect themselves. I will not quote to you the remarks of clergymen with regard to gambling upon the race-track; but I think that one of the most powerful sermons ever delivered against race-track gambling was the opinion expressed by the famous Silent Smith who died in Pittsburg a year or two ago, and who had accumulated about $3,000,000 in gambling. This is what he said on his death bed:

Race-track gambling is as insidious as the most powerful drug, gradually developing as if the victim was not strong enough to resist the temptation. Few people have the ability to be successful on the track. The best evidence he could give of that was that he could count on the fingers of one hand those men who, in the past century, had made money out of race-track gambling.

He said further that:

He would welcome the laws that would prevent the youth of the land spending money and energy in following the ponies.

So, we have from one who followed the race-track for years, who knew what the advantages, and disadvantages of it were, and who made large sums of money for himself in connection therewith, this dying statement. This parliament has a duty to perform in the interest of the youth of the land, and that is to adopt legislation which will guard them from the risks that are surrounding them in connection with race-track betting. One of the greatest horse figures in the United States—Keene, who spent more money upon his horse stables than perhaps any other man in the world, over half a million a year, made a statement upon this subject, and what did he say? Betting is not necessary to horse-racing and that he had never placed a bet on a horse. The Agnew Bill in the state of New York is being backed up by the public sentiment of the state, and the opposition to this Bill which has only developed is being worked up by those who are particularly interested in opposing that legislation, just as an effort is being made to create a feeling around this building hostile to this measure, because it is claimed that it will interfere with the development of the thoroughbred horse. I do not believe anything of the kind. I believe that the thoroughbred horse will be fostered just as successfully in the future as he has been in the past because the evidence that came before the committee showed conclusively that that development had not been as rapid as could have been desired especially in view of the alleged benefits of fifty years racing in Canada, and evidence of which was the fact that when the Boer war broke out they could not obtain in Canada the quality and quantity of horses that the British army required. For my part, I am in favour of the measure now before the House, and I hope that the parliament of Canada will see its way to place upon the statute-book a law that will give protection to our citizens, and that protection which is absolutely essential. If other countries can adopt legislation such as this, the parliament of Canada should meet the wishes of the people in so far as this measure goes, and I believe that by adopting this Bill it will be meeting the wishes of the people.

Mr. D. A. LAFORTUNE (Montcalm). (Translation). Mr. Speaker, before dealing at length with what was said in the course of yesterday's debate as to the sub-

ject now under discussion, I may be allowed to briefly refer to some statements just made by the hon. member for Peterborough (Mr. Stratton). The hon. gentleman expressed an opinion as to the usefulness of the thoroughbred. He acknowledged in passing that he did not know very much about the matter. That was apparent, that was evident. I take his word when he says that he has no extensive knowledge as regards the thoroughbred. Farmers, he says, are not fond of the thoroughbred. Of course they are right in preferring another type if they want a horse only to hitch to the plough or to draw heavy loads. In that case, I would agree with the hon. gentleman and admit that for such work the thoroughbred is not suitable. But, there is some other use to which the thoroughbred can be put on farms; and I speak advisedly when I say so. To back up that statement I have my own personal experience covering twenty-five years, during which I have had the pleasure, not to say the advantage—as it comes rather high—of taking an interest in farming matters, and I invite the learned members to visit my stables, wherein he will find thoroughbreds of some value.

The farmer, it is said, has a dislike for the thoroughbred, I have just stated the reason. However, in order to make myself clear. I shall further say that the thoroughbred is useful for the improvement of heavy breeds of horses, such as the Ardennais, the Hackneys, the Normans, and the Percherons. We even have to-day Brabansons which are too slow, too heavy to be profitably put on the road. But the Brabansons, as well as the Percherons and the Normans, are great breeds of horses which should be improved, made lighter by crossing them with the thoroughbred.

The thoroughbreds are small, it is urged. Yes, but they are full of stamina; and when desirous of improving our heavy draught breeds, we are very careful to cross them with thoroughbreds which are the means of bringing about a happy medium, that is of breeding horses which can be used on the roads or in the fields without breaking through, as do the Norman, the Percheron, or the Brabanson. Whenever such heavy horses have to be put to work in the fields before the surface is settled down, they injure the sod in meadows and pastures by sinking knee deep into the ground, and besides they are liable to break down fences and gateways, while the thoroughbred goes clean over them without causing any damage.

In the province of Quebec the 'National Breeders' Association' offers fine stallions which have cost a good deal of money. Henceforth, we have no use for any others. On the other hand the owner of a thoroughbred mare which has been imported at considerable cost, will not breed that mare to a thoroughbred, but to a horse of a heavier type, so as to obtain a progeny which may be of service at all kinds of work, whether on the road or in the field. Besides, they may occasionally be sold at high prices, on account of the qualities developed in them by judicious breeding. Such is my answer to the hon. member for Peterborough who has just stated that we have no use for the thoroughbred.

Formerly we dispensed with automobiles, with electric traction, telephone and telegraph lines and even railways. That recalls to my mind an old-timer in my constituency who was averse to the building of a railway line to Montreal; of course that line was built in spite of his opposition, but he would never travel by it, because it had been built by Liberals. He persisted in using exclusively his old grey nag. Those are errors of judgment, exaggerations unworthy of attention. But when we are met by a man who proposes legislating on the lines inidicated and inserting in the Criminal Code a provision such as we find in the Bill under discussion, it is up to us to call a halt.

I have had the honour of being Crown prosecutor for some years past, in the largest judicial district of the province of Quebec. Well, since I have been acting in the above capacity, taking a hand in the administration of justice, especially in connection with criminal cases in Montreal, for a few years back not a single case, not a single complaint of the character referred to has been brought up in court. The hon. member for Cape Breton (Mr. Maddin) stated last evening in my hearing that, while attending the sittings of the police court in Montreal last autumn, he had been struck by the large number of arraignments. Well, I may say to that gentleman that at any of the sittings he might witness a similar condition of things; but these arraignments are not the outcome of the racing going on at the Jockey Club or at Delorimier park. Presently I shall give the names of the people making up the Montreal Jockey Club and the Delormier Park Association, and the House will be surprised to find that the list comprises men of the highest standing and perfectly well posted as regards proper administrative methods and public morals.

There are crimes in quite sufficient numbers definied by the common and the statutory law and entailing various penalties; and when I hear the hon. member for Grey requesting the House to still add to the list of criminal offences and prohibit race-track betting, it is time that a stop be put to such legislation.

It is quite useless for him to come to Montreal and proclaim such principles, or to call public meetings in the hope of obtain-

ing support. I understand he succeeded in getting together in Toronto four hundred young men, without any experience of life, ignorant of what is in the best interest of the country, and even that has been effected only by means of much publicity. I am surprised that more people should not have responded to the call in that fine city of Toronto, Canada's queen city, as it is sometimes called, though improperly to my mind. That shows that the Bill is not a popular one, for in our province whenever a popular measure is being discussed, instead of four hundred boys, thousands of people will congregate.

The hon. member has made reference to public opinion. Well, I have just stated what is going on in Montreal. I live in close proximity, within the county of Jacques Cartier. I regret that the member for that constituency (Mr. Monk) who has a great concern in that question, is away. I hope he will be back before this debate is over, otherwise, when he appeals to his constituents at the next election, we shall make it a matter of serious reproach for him. He is very well posted and has had a long experience in these matters, and no doubt he would have seconded the amendment which the committee has under discussion. His absence then is the more to be regretted on that account.

Mr. PAQUET. (Translation). Is the hon. gentleman aware that the member for Jacques Cartier is seriously ill, and that his absence has no other cause.

Mr. LAFORTUNE. (Translation). I was not aware of that, and must apologize. I hope he will soon recover, and come back in good health and good disposition.

I was just saying, Mr. Speaker, that the Montreal Jockey Club has its grounds in the county of Jacques Cartier, within the limits of the finest parish in the province, that of St. Laurent, where I have my home. That association has spent up to date a million dollars on its race track. I was proud last autumn, when the opening took place under the patronage of His Excellency the Governor General, to witness the assembling there of more than one hundred thousand people. What a fine sight it was! The best and finest people in the province were in attendance, and in particular beautiful women. And everything went on without any unpleasantness whatever. Notice, Mr. Speaker, that as is always the case, perfect order reigned throughout. There are policemen on the grounds who have an eye on strangers coming and going; as regards the Montreal people, who are all good citizens, such measures are unnecessary; but in order to ensure greater safety, and lest some one might act improperly, the association have policemen on the grounds in sufficient numbers to prevent or counteract any wrong doing.

It is a day of rejoicing for the farming community; it is a festival of agriculture. Before long, I shall request my leaders to set apart a day as the festival of agriculture, 'farmer's day.' No such day has yet been set apart. Professional men, labour men, have their day; the farming community alone is without a day set apart in honour of their calling, which is the finest under the sun. That request I shall not make just now, but at the next session, and mind you it will have to be granted. I let that stand as a notice of motion for next session.

The hon. gentleman's reference to public sentiment recalled to my memory certain utterances of our opponents on another question. They stated that public opinion was entirely against us and would bring about our downfall. As evidence, they pointed to petitions bearing a great many signatures and laid before the House. I cannot say very much about the petitions in favour of this Bill. I do not know what signatures they bear, but what I do know is that very often such petitions are signed injudiciously, by routine without paying any attention at all, and more than anything else, to please the person who takes the petition around. Several of the petitions which were sent with reference to the Naval Bill had been forwarded from my constituency. On looking into them, I found that the signatures were all in the same handwriting. I made inquiries from several of my friends who answered, 'We never signed our names to that petition.' 'But,' I would say, 'I saw your names on the document.' 'Well,' they would answer, 'it was put there by my son, my daughter or my wife.' Of late, when people made inquiries to me about the Miller Bill, they would ask: 'Mr. Lafortune, is that Mr. Miller who is circulating a Bill for the purpose of sending every body and soul to jail, the same man wanted to prevent trains from circulating on Sunday?'—'I do not know, but they read pretty much the same.' 'Is he the same man who wished to prevent us from going out on Sundays—'I do not know, but it looks like it; the principles involved are alike.'

If we were to insert in the criminal code provisions against all those who are guilty of wrong-doing, what great number of lawyers and judges would we not need! Even now it is a difficult matter to secure judges for the settlement of business and other lawsuits of importance. Indeed, many judges would be required to dispose of criminal cases, should we undertake to put a stop to all abuses, wrong-doing and to restrain all those who live beyond their means. That might give me a chance of being appointed a judge before long.

No, public opinion is sounder than that; public opinion has matters of greater importance with which to concern itself. I do not wish to be in any way offensive or disrespectful towards the learned gentlemen who support the Bill. But let me say this to them: You should, it appears to me, in the interest of the country, in the interest of your electors, busy yourselves otherwise than originating new criminal offences. Crimes are not like mushrooms which develop in the course of a few hours. New crimes should not be imagined in connection with everything. Otherwise, what shall prevent you from legislating against betting on lacrosse grounds. Young men who attend lacrosse matches, who bet large sums on baseball or hockey matches, should also in that case be called to account, prohibited from attending such games, or spending their money in such fashion. Then, why should they not be restrained from going to the theatre, where they have to disburse from five to ten dollars when in company with young ladies? All such expenditure is objectionable. Then, would it not be proper to prevent people from providing themselves with automobiles! Formerly, carts were the great means of travel, while nowadays rubber tires are considered a necessity. If I were permitted to speak out, I would take the right hon. Prime Minister to task for having promoted the welfare of the country. After all, he is to blame if people spend so much today; people are in a position to spend on account of the general prosperity and instead of being surprised at the spending of a few dollars on the race tracks, one should express astonishment were the contrary to occur.

I heartily concur in the remarks made by the hon. member for York (Mr. Maclean). Possibly it is the first time that I agree with him, but I hope it will not be the last. Come along and join in with us, Mr. Maclean, join in with the Liberals who are opposed to these proposals which you rightly condemn.

It is urged that the inserting of this clause in the Criminal Code will not in any way affect the race-track. Well, let us see how it would work out in the case of the Montreal Jockey Club, for instance. There are one hundred thousand spectators assembled on the grounds. On a sudden, ten or twelve policemen appear at the meet and proceed to make arrests. You may be sure that racing will not be continued very much longer. Tumult, trouble, a stampede possibly will ensue. The wives and daughters of those attending will feel uneasy; children will take fright. They would be the first to say: Let us no longer go to see the races to be witnesses of such squabbles and excitement. You may be sure that under such circumstances racing would soon be a thing of the past; race meets would be abolished.

Evidently, these hon. gentlemen have never been on the race-track. At any rate, they have never attended race meets; or they would have been highly gratified at the way things are managed and amusement provided for them. Had the hon. member for Grey (Mr. Miller) been at these race meets, he would not have introduced that Bill. It is the best of sports. English-speaking people are those who show the greatest enthusiasm for such amusements in our country; they are always in the lead. the first to get there, the freest spenders, ever ready to contribute ten, twenty or thirty dollars whenever we Canucks contribute one. They are always in the lead whenever sports are concerned. Racing is the best of our sports, and that is why we propose voting down this Bill. I am satisfied that if I voted in favour of this Bill, my constituents would never send me back to parliament; the people would no longer have any use for me as their representative, and that is a risk I do not like to take, as I am beginning to appreciate my present occupation.

Talk of wrong-doing! Inquire from public men, politicians on either side of the House, those who occupy seats here and those who are intent of recapturing their old constituencies, and all will say: I have been ruined by politics; I have lost all I had; I am a poor man, I was rich when I entered parliament, but I have spent all I had in political campaigning. Now, should we prevent these people from going into politics? They are impoverishing their families, ruining their health; oftentimes at the close of their political career, they are obliged to apply for a position, not always positions on the bench, but others less exalted. I have, say they, sacrificed myself for the good of the country in the public interest: I have neglected my dearest interests; give me a position which will enable me to support myself and my family for the remainder of my life. The next proposal which I think the hon. member for Grey should take up, after getting this Bill through the House, should be one towards prohibiting men from engaging in politics and thereby impoverishing themselves and their families. The principle is the same in both cases.

Mr. PROULX. (Translation). You would not send them to jail?

Mr. LAFORTUNE. (Translation). Certainly; every law should have a sanction. In case of a criminal offence. imprisonment is in order. Do you know of any criminal law that is not enacted under pain of imprisonment?

Mr. PROULX. (Translation). But there are people who have been sent to jail as

a result of having lost money on the race track.

Mr. LAFORTUNE. (Translation). And there are many who should be in jail, though they are still free.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. LAFORTUNE. (Translation). Mr. Speaker, at recess, I was contending that public opinion which our learned opponents are representing as being on favour of this Bill, is rather in my humble opinion, opposed to it. Public feeling cannot lend itself to giving effect to such personal views in regard to restricting individual freedom, whose defenders those learned gentlemen profess themselves to be.

Let us not interfere with individual liberty. It is an entirely different matter when we are called upon to legislate concerning trade, for instance, or any other matter relating to society in general. Thus when the government submitted an Act in regard to Sunday observance, it was a general law, applicable to all provinces and to all classes of society. However, many persons took exception to that measure as being an encroachment on individual liberty. The majority of the House declared that law necessary; but people went so far as to try to put a stop to amusements within the family circle and to prevent young people from indulging in moderate, honest and intelligent relaxation. However, that Act for the better observance of the Lord's Day had its good points, and I was favourable to the principle of the law, although I did not approve of its rigour.

But in the present case, as I listened to the learned gentleman who preceded me (Mr. Stratton) pointing out as he did to the impoverishment of families through losses sustained by many on the race-track, I was tempted to turn around and ask: What about those who gamble on stocks? What about those who buy stock which is never delivered to them? What about those business places where numbers of our young men speculate on stocks, and ruin themselves and oftentimes their families? You do not propose introducing legislation with a view to restricting such transactions. And I heard the hon. gentleman stating: There is no comparison possible between gambling on stocks and gambling on the race-track. Well, I think he is right in stating that there is no comparison possible between the two, inasmuch as stock gambling is much the worse evil of the two. Those who go in for betting on the race-track are not guilty of one-hundredth part of the wrong-doing for which gamblers in stock are responsible. Nevertheless, should there be introduced to-morrow a Bill to prohibit stock gambling, that hon. gentleman would be the first to protest and say: You are encroaching on individual freedom, you are interfering with trade and every day transactions. I might victoriously reply to that hon. gentleman that there is no comparison possible. The farming comumnity, those who take an interest in farming and particularly those who go in for breeding, have a right to the protection of the law. It is contended that this Bill will not interfere with the breeders' business, with the farmers' opportunities. Whereupon I answer to my learned friends that they are astray in their contention that by prohibiting what is now being carried on in an honest, regular and rational way, the breeder's business, which is of interest to us, will not be interfered with.

Wherever racing is being carried on, betting should be allowed, and if betting between individuals only is allowed, and no middlemen permitted to take in the bets, what will become of the money put up in bets? I have some experience in this connection, and I say that if you do away with book-making, you render betting impossible. The money put up in betting will go into the hands of strangers, of irresponsible people, and when the meet is over, it will be found that they are flown. In order to recover the money, recourse to the law courts will be necessary, and a great deal of trouble will be in sight. Betting under such conditions would not be possible, all must agree as to that. Whoever has any experience at all in sporting matters will not say otherwise. As is well known, owners of race-tracks farm out the privilege of book-making to specialists and that is a fair and legitimate way of providing the funds to be given out in prizes.

What was it that induced thousands and thousands of people to gather for last autumn's race meet at Montreal? What was it that drew there 1,500 horses, a good number of which were from across the boundary? What was it, if not the prizes that were offered? Do you think a man in Philadelphia, or New York—there were even one in Los Angeles—would spend large sums to send horses to these race meets, if the stakes were only small sums? Even then, these race horse owners should not be looked at in the light of mere speculators; they send their horses at a loss. They do so for the benefit of the farming community, and in most cases they get only a very small proportion of their outlay. Is it fair that such men be subjected to the treatment meted out by this Bill? They spend large sums to promote the breeding of horses on right lines, and the farming community is benefited thereby. I trust, therefore, that the House will sound the death knell of that Bill and will turn down the proposal of these gentlemen,

whose only concern is to originate new criminal offences, and that we will hear nothing more of such theories.

Sir, no good reason can possibly be put forward in support of these contentions. Some latitude should be granted to human nature in selecting amusements, and these cannot be had free of cost. In the same way, the acquirement of learning does not go without fees. Those who attend race meets an engage in betting, acquire experience and that has to be paid for. From what these hon. gentlemen say, one might infer that all are losers at that game. Surely, there must be winners, and who are are they? Book-makers get rich, it is claimed. Of course there are winners in that class, but there are also losers. The money I lose in bets goes into the pockets of the fellow who bet against me, barring the amount of a commission of ten per cent generally, which goes to the middleman. That is all the profit the latter gets out of the bettors. On the other hand, the book-maker, who is a dealer in bets, a buyer and seller of bets on the horses listed to run, is himself a loser occasionally. He sells horses for first, second or third place, and that horse may come out last, in which case we immensely enjoy taking in his dollars, which you may rest assured, we have no thought of returning to him the day following.

I hear the hon. member for Prescott state that the book-maker is not often disappointed. I infer from it that the hon. gentleman has never been on a race-track. Let him come to our meet and he will find out that everything is done honestly, that there is no fraud.

Hon. gentlemen seems to think that there are no means devised towards protecting the individual and putting down abuses. But legal gentlemen who are well up in the knowledge of civil rights and procedure, should not lose sight of those enactments specially designed to protect the individual, whether he be a young man or a father of family, against his own excesses in the matter of gambling or drinking. Have we not such a thing as the privation of civil rights and the family council? If it is shown to the courts that so and so is a spendthrift, a gambler at cards, a drunkard, a too easy-going fellow, a family council may at once be summoned and consulted as to the desirability of interdicting the gentleman and providing him with a curator or judiciary council, whose duty it will be to prevent him from extravagant spending. Now it is proposed to have this parliament take the matter in hand and deprive of his civil rights the spendthrift, the gambler, the prodigal. Well, I protest against parliament assuming jurisdiction in matters of this kind. I say parliament has not the right to brand any one as a prodigal before his relatives have had their say in the matter. I say that such a course would be an encroachment on individual liberty. I say you have not the right to deal with Canadian citizens as if they were spendthrifts, and restrain their freedom of action without conforming to the rules of procedure enacted by the various provinces of the Dominion. Whenever we are called upon to deal with a prodigal, but not of the most pronounced type, we deprive him in part only of his civil rights, by appointing a judiciary council to prevent him from living in an extravagant manner or spending too freely. Such are the means provided by law to restrain improvident and reckless people.

Sir, the learned gent who preceded me stated—and I was sorry to hear him say so—: in this connection we prefer following the provisions of the United States law, to following those of the British law. We take after the people of the United States; as to the British enactment, as to the legislation in force in the mother country, they say, we have no use for it. Is that sound reasoning? To my mind it is a criminal offence, a crime which should be made punishable under our laws, a crime of high treason to thus follow the lead of our neighbours, without paying any attention to what is being done in Great Britain. A Mr. Hughes has been mentioned. I am not acquainted with him, though he may be a very honest man. But I prefer following the legislation in force in the British empire. In support of a bad case, people are apt to make use of every means, good or bad. After centuries of British rule, one should know a thing or two.

I listened with pleasure and a great deal of attention to the statements made last evening by the ex-minister of the Interior (Mr. Sifton). I have never heard anything more precise and indicative of so great ability and experience. He gave us the whole thing in a nutshell. His arguments are uncontrovertible, and no attempt was made to answer them. The hon. gentleman who hails from those vast territories which are the hope of the Dominion, has Canadian interests at heart. It cannot be said of him that he is a race track gambler or that he has any kind of interest in racing associations. He gave us his word that he never gambled or engaged in betting, and nobody will doubt his word. His opinion should be given still greater weight, seeing that it is wholly disinterested.

Reference has been made to insurance policies, and the hon. gentleman who made such reference contended that the policy-holder gets back only what he paid. Such is not always the case. The policy-holder is not always in that position, as I shall endeavour to show. Take for instance the

case of a life insurance policy. The policyholder dies after having paid his first premium and his heirs get a considerable amount of money which the company is bound to pay. Then take the case of a fire insurance policy. The owner of the building insures it for a large amount. The next day, the building is destroyed by fire, and he gets a lot of money, after paying in a small premium only. Will it be contended that in such cases the insured gets back merely what he had disbursed? However such agreements are considered legal, although they imply a contingency, although their outcome is uncertain, hazardous, in the same as with race-track betting. You bet on a horse expecting he will come out first, and very often he comes out last. You are the loser, but some one else is a winner.

My learned friends spoke of the usefulness of the thoroughbred. It is a well known fact among farmers and breeders generally, that thoroughbreds are high-priced horses. They are not plentiful, require much training, and cost a great deal to their owners. On the other hand the latter expect to obtain a handsome price for them.

Within the last twenty years governments have spent large sums towards promoting breeding. The Minister of Agriculture, agricultural lecturers, co-operative associations, farmers' clubs, agricultural societies have all in turn advocated better breeding methods, and the improvement of live stock, especially of horses. For several years past, a large number of thoroughbreds have been imported to cross with Canadian horses. Thereby, we have succeeded in bringing about a considerable improvement in our breeds of horses. And when these hon. gentlemen contend that it is possible to continue that work of improvement independently of racing, let me answer that, in my humble opinion, that is not possible. Neither is it possible to provide for the upkeep of a race-track solely by means of entrance fees an contributions forthcoming occasionally from individuals or agricultural associations in connection with the meets. That has been attempted in every county throughout Canada. The idea is not a new one. An effort was made at large agricultural fairs to run the show by means of entrance fees alone, and to be content with a few races comprising only a small number of entries, but that always resulted in a failure. On the other hand, how have matters been improved? Success has been attained by acting in co-operation with the management of large associations. In conjunction with agricultural fairs and ploughing matches, we have arranged to have racing, and the owners of these race-tracks have contributed hundreds of dollars. How did these gentlemen come to be in a position to do so? Simply through the association realizing profits, and being on that account prosperous enough to help us. Farmers benefit thereby. The passing of this Bill would inflict heavy losses on those who interest themselves in the improvement of horse-breeding. What would be gained by ruining these men? What would become of these associations who contribute towards the improvement of agricultural methods, the desirability of which is acknowledged by all? Representatives of the people who are desirous of promoting the welfare and the development of the country should not hesitate a single moment to vote against this Bill.

The question has been asked whether or not such a measure would be easy of enforcement. I am now speaking as if the Bill was to pass, although I do not think it will be voted by the House; but, admitting that it will pass, will it be an easy matter to enforce its provision? I have had some experience in the matter, having practised law for the last thirty years. I have always been concerned with my professional duties, and was deemed worthy of being appointed Crown prosecutor in my district. For the last four years, I have been acting in that capacity. Numbers of cases of all kinds have been brought up in the meantime, and having that experience, which should count for something, I say without hesitation that it would be absurd to pass such a law, to make betting a criminal act, to deal with bettors as if they were scoundrels and criminals, and that you will fail in getting a jury to condemn people charged with such an offence. Jurymen as a rule are respectful of authority, but they are free and independent men, and called upon as they are to decide as to the fact independently of the law, they will be averse to returning a verdict against that man, large amounts will have been expended in vain, public morals, public interests, nobody in fact being benefited thereby. I say: no, that cannot be. You will not submit that citizen to such vexatious and useless annoyance. Besides, in doing so, you would not attain your object. Your charges would be met by denials and counter charges against the accuser. The putting in our statute-books of such an enactment far from giving security to citizens, would result merely in an expenditure of public funds to the injury of the accused.

Abuses have been alleged; instances have been cited of people who have spent extravagant amounts in betting, or of others who have in consequence committed thefts. That puts me in mind of scenes often witnessed at sittings of the criminal courts; and I may be allowed to recall them to the hon. member who made use

of that argument, at the same time that I appeal to the experience of those who know what is the general run of things at such sessions. Let us take the case of a bankrupt. His liabilities aggregate a large amount; he is called upon to explain how it is that, having a few months previously submitted a balance-sheet showing a rather large surplus, he is now confronted with such a deficit. That man is chary of telling the truth. He does not like the idea of admitting that he has obtained advances from his creditors under false pretenses. He deos not like to say that he was stock gambling, that his expenditure exceeded his revenue, that through speculations he lost money, that his wife has been spending the season at summer resorts in the midst of great luxury, spending freely, or that he has made a trip to Europe when he had not the means of doing so. He will say: I lost money betting on horses. Why does he give such an excuse? Because he is well aware that nobody is in a position to verify his statement, or to find out with whom he engaged in betting. It is the same with those who conceal stolen goods: invariably, they say they have bought the goods from a fellow passing on the street, and whom they do not know. That is the answer always in stock. Indeed, Mr. Speaker, whenever a man has something to hide, some wrongdoing to conceal, some crime to cover up, his last resource is always to say: I have been gambling on the race-track. That is what makes me suspicious of the evidence taken before the committee. Of course, such an excuse may be accepted for once; but when a man says: I have been a regular gambler, I have lost my money betting on the race-track, I say such a man should not ask the government to protect him. His relatives should see to it that he leads a less extravagant life, should see to it that he be, if necessary, interdicted, or provided with a judiciary council.

The instances brought forward by my hon. friends are of an exceptional nature and have not been made the subject of any subject to any special inquiry. They are of such an extraordinary nature that we are warranted in doubting, I do not say the word of those hon. gentlemen, but the truth of the statements of those who represent themselves as victims of such misfortunes, incorrectly so, to my mind. That is the excuse of all those who have not the courage to acknowledge in what way they lost their fortune, in what way they courted ruin and failure.

That suggests another thought to me. How is it that the French laws which were kept in force at the time of the conquest, how is it that the civil code of the province of Quebec contain provisions permitting gambling and betting on the race-track? Supposing that Bill amending the Criminal Code should come into force, I wonder which of the two would supersede the other? Would precedence be given in this connection to the Dominion law which prohibits such a deed under penalty and imprisonment? But that would not change the provision of the provincial law or of the civil code which allow racing and even grant the right of recovering before the law courts the amount of any deposit made in that connection. Here then we have a subject of His Majesty governed by a double set of laws, under two jurisdictions. Under the one, he may have to appear before the criminal court; under the other he has the right to institute a civil action. Under sections 227 and following of the Criminal Code, that man may be arraigned before the courts of criminal jurisdiction, and penalized in consequence, while under the law of our province, he may enter a lawsuit before the civil courts against the party failing to make good a bet. I do not think that is a very enviable position to be in. It is downright encroachment. That shows how dangerous it is to introduce measures of that kind, to declare applicable to the whole of Canada such provisions, because abuses have cropped up at Toronto or Vancouver. I am in a position to state that not a single case of that sort has been brought to the knowledge of the authorities in my province.

I have not time just now to give the names of the men who compose that fine association of the Montreal Jockey Club and the Delormier Park Association. I shall have an opportunity later on to refer once more to that, and to acquaint the House with the men who are at the head of those great associations we are so proud of. But when I see an enactment of that kind on the point of being inserted in our statutes, I say it is time we should cry out to the promoters of such a Bill: Stop, you are on the wrong track, you are proposing a law which should not be passed. I hope the time is not far when the movers of such proposals, and their partisans, will find out that the majority is not disposed to subserve the ambitions and aims of a few men madly desirous of reforming others, though it would be in order for them to start by reforming themselves.

The evidence taken before the committee has been referred to. Mention has been made of a most distinguished gentleman, possessed of wide experience. Extracts have been quoted from the evidence of Dr. McEachern, who formely lived in Montreal and who now resides in Chateauguay county. It was a matter of surprise to me to hear the hon. member for Grey (Mr. Miller) state that Dr. McEachern approved of his Bill. The evidence show the contrary to be the truth. I state to the House, under my responsibility as one of its mem-

bers, that the evidence given by Dr. McEachern is in direct condemnation of this Bill. I have gone over all his statements with great care. Dr. McEachern is well known in Montreal. He is a typically honest, conscientious and able man, possessed with wide experience, sensible, distinguished and considered by all. Well, I take Dr. McEachern's own evidence, as being in direct condemnation of the proposal brought forward by my learned opponent. I say that there is enough in such evidence to bury out of sight the Bill now under discussion.

I regret, though not for the sake of the House who may think I have spoken at too great a length, but for the sake of my hon. friends, that I should have to cut short my remarks. However, let them not lose courage, as I have much more yet in store for them. I ask to be permitted to resume my seat until I am given another opportunity to speak again.

Mr. AYLESWORTH. We are now well into the sixth month since the session opened, and I am sure that every one is anxious to see it come to a close. The government have yet many important measures to deal with. The House has been occupied with this Bill for two days, and we are still considering the first clause. In these circumstances I shall try to be as brief as possible and, if I can, to go straight to what seems to me to be the point of the matter for consideration. We have had upon the statute-book now for eighteen years and more our present law, the salient feature of which in regard to this particular matter at any rate is that it excepts from the operation of the section with regard to book-making, bets made on the race-course of an incorporated association during the actual progress of a race-meeting. I suppose we must take it that that law has been found by experience not to work satisfactorily because this House, I assume, has by passing the second reading of this Bill, and by carrying the motion to resolve ourselves into Committee of the Whole, adopted the principle that our present law is unsatisfactory, and that some change ought to be made in it. The question then for consideration now is what change we ought to make, and by the motion which was made at the rising of the committee last night we have presented an alternative proposition to that which the special committee in this case has recommended. The feature of the work of the special committee, I take it, has been that they have struck out altogether in the proposed legislation the clause which in the existing law protects bets made during a race-meeting upon the race-track of an incorporated association. Having done that advisedly, having done that because they thought that change ought to be made, they propose to further that effort by altering the definition of a common betting place which appears in the earlier clauses of the Bill. As against the Bill drawn in that way the alternative which is proposed by the amendment is that we adopt, with a modification, the present English law, and I must say at once, so far as I am concerned, looking at it I suppose from the standpoint of a lawyer, that to my mind there is no comparison between the language of the draughtsmen, and the method which is used in these two efforts to get at the same result. The English Bill might almost be called a model of skilful legislation. It was prepared, it is said, by the late Lord Davey, and mentioning his name is sufficient to every lawyer to remind him of one of the greatest lawyers who ever practised, or who ever adorned the English bench. The object of that Bill is accomplished in the fewest possible words, and in clear and distinct language by which exactly what is aimed at is struck, and a result reached about which I venture to think there is no room for doubt. As between the work of preparation, and as between the practical working of the two Bills, if it were a question of either being in operation, I feel satisfied there is every element of superiority in the English Bill over the one which has been reported by the committee, and which I think I may without disparagement refer to as the Yankee Bill, because it assumes to have adopted the same means to reach the desired ends which have been adopted in some of the states of the American union. For that reason I certainly would prefer the amendment which has been proposed to the report of the subcommittee itself.

There is just one other thing I ought to say in that regard. My hon. friend from South Grey (Mr. Miller) read yesterday a letter I had written to him some two months ago on this subject. I certainly have no objection to his putting the letter on the pages of 'Hansard' although I ought to say I never expected to see it there, and thought I was merely writing to him as one member of the House might wright to another what my ideas were with reference to this question. The language of the letter expresses in perhaps as concise form as I could use, my views about this matter. I do think it is an extraordinary way of getting at the desired object to resort to the criminal law and to make something a crime which the ordinary sense of the average man does not consider a crime. We are piling up day by day crimes, and under our constitution we are leaving it to somebody else, as we have to do, to enforce these laws which make new crimes, and make people liable to criminal prosecutions for doing things in connection with

which many of us think there is no harm in the world. I do not know where it is going to end. We have had during the short time I have been in this House a very stringent law which makes it a crime to fish or indulge in what many people regard as comparatively innocent amusement on Sunday. We have passed a law making it a crime for a boy, all but grown up, to smoke a cigarette. We are now proposing to pass a law which will make it a crime for a man to make a bet, it may be with a young friend of either sex. Very possibly before the end of this parliament, we shall have a proposition to make it a crime to play cards, or to dance, or to indulge in any of the other amusements which there are some in the community think constitute very nearly, if not quite a sin. I deprecate that manner of legislation, I am sorry it should be necessary, and with regard to the particular thing in hand, the regulating of a race-meeting, I pointed out in the letter I have been referring to that the right way as it seemed to me to do that was by the conditions upon which a license might be issued. The liquor traffic is regulated under license of our various provincial legislatures, and is well regulated in practice, nobody complains, we know that the working out practically of the regulating system which is under the control of the provincial legislatures by virtue of their power to issue licenses is satisfactory in regard to the carrying on of even so delicate a kind of business as the traffic in intoxicating liquor. Is it not manifest that it would be equally easy, perhaps more easy, to regulate the way in which racing associations should carry on their meetings—what kind of betting they should allow or what kind they should prevent, how many days they should hold their meetings, and what intervals should require to elapse between each of two meetings, and every other condition connected with the racing which is sought to be struck at by this legislation—by resorting to the various provincial legislatures and obtaining the necessary legislation from those bodies? I am very sorry that course has not been thought to be the wise one by those right-minded people who want to do what they consider to be for the welfare of the community, and who, instead of taking that course, have been advised to seek to make a new crime, or to add to the list of crimes already on the statute-book, by the legislation now before this House. But the Bills are here, and the question is, what disposition ought to be made of them? For my part, notwithstanding the presence in the draft of the proposed amendment of the clause referred to, providing that if a race-meeting continues for not more than twelve days and after an interval of at least twenty days between each of two meetings, the saving clause of the last section of the Bill shall apply to it—notwithstanding the presence of that provision, which I think is to be regretted, I for my part so much prefer that way of reaching the evil which is sought to be prevented, that I intend to support the amendment proposed by my hon. friend from West Northumberland (Mr. McColl). The difference in principle between the two schemes of getting at the trouble is that the English Bill strikes at the person who does the thing which it is sought to prohibit. It provides that every person who does these particular things—frequents or loiters in streets or other public places for the purpose of book-making or betting—is liable to punishment. The Canadian Bill, or the Yankee Bill, the Bill reported by the committee, proceeds on the contrary idea of striking at the place where the thing is done. It prohibits the keeping of a 'common betting place,' and defines the words 'common betting place' by language wide enough to include everything, even the perambulating of a book-maker about the grounds of a race-track; and the result of so widening that definition is that it exposes to the danger of a prosecution any person on the grand stand at a race-meeting who makes a bet with his neighbour of either sex. That is, I think, an objection to this Bill. Let me point out how that result is reached. In the first place, the protection of the existing law is struck out, so that you have the prohibition, not it may be of individual betting, but at all events of the recording, noting down even in a pocket diary or upon one's shirt cuff, of the fact that a bet has been made, the amount of it, or the odds. Any one who does that, if this Bill as reported by the committee is passed, is liable to a year's imprisonment. That is the distinct provision of section 235 as reported without the saving clause, which is struck out:

> Every one is guilty of an indictable offence, and liable to one year's imprisonment, and to a fine not exceeding $1,000 who records any bet or wager upon the result of any race.

Then, the language of this clause, with the saving protection which the existing law contains struck out, is quite wide enough to cover, and I fancy will some day or other be sought to be made to cover, things that are not meant to be covered at all. 'Any bet upon any contest or trial of skill of man or beast.' I wonder if the draftsman thought of the ordinary game of bridge among four men. I think that is a contest or trial of skill, largely so; and it is not unusual, I am told by those who play, that there should be money staked upon the result. Then, with regard to the individual bet—using that phrase as in-

tending to describe a bet made between two people who are sitting side by side in the grand stand looking at an ordinary horse-race—the definition of a common betting place is completely metamorphosed. Under the existing law, 'common betting house' was the expression used, and it was defined to be a 'house, office, room or other place.' The word 'place' is used, but is used in such a collocation of words that it derives significance from the preceding phraseology—it means other place of the same character—a house, office, room or other place opened, kept or used. That is the present law. The use of the three verbs, 'opened, kept or used,' indicates at once a continuous and permanent using—opening it, starting it, keeping it, continuing it, using it in that sense—not for half an hour once in a year, but from day to day, continuously, is the idea conveyed. All that has been carefully swept away, deliberately swept away by this Bill, because the proposed amendment as reported by this committee is a common betting 'place,' not 'house' as at present—'a place,' not 'opened, kept and used,' but simply 'used' for the purpose of betting between persons resorting thereto,' and second, 'any person using the same.' Then we have at the end of that section this sweeping definition of the word 'place,' which was intended, as I said on the second reading, to get rid of any idea of fixity in the word 'place,' and to make that word include the up-and-down course which any one might take in walking or strolling about a race-track:

> The word 'place' as used in this section and in the preceding section, includes any place, whether inclosed or not, and whether it is used permanently or temporarily, and whether there is or is not exclusive right of user.

Now what have we to say about all this? I take the case of two young people sitting side by side in adjoining seats in the grand stand. Clearly they are occupying a place within that definition. 'Place' is meant to include any place, whether inclosed or not, whether it is used permanently or temporarily. Although persons may be sitting there only half an hour, they are occupying a place within the meaning of this law. Whether they have or not the exclusive right of user, the very fact that they are there on that occasion makes this description clearly applicable to them. Is a person sitting there looking at the races, a person who is using that seat for the purpose of betting with his neighbour? I do not think it would be a far cry for a magistrate so to hold, and I apprehend in all seriousness that, if this measure should pass in the form in which it is reported by the special committee, any one who chooses to institute a prosecution against a visitor at the races for having made a bet of a pair of gloves with his fair companion, will have a perfectly plausible case to present. It may be said that such a thing will not happen. I only point out the distance to which this legislation is going when what many of us at least think harmless is being constituted a crime.

Mr. CARVELL. I have listened, Mr. Speaker, with great interest to the very learned discourse we have just heard from the hon. Minister of Justice (Mr. Aylesworth) and I only regret that my duties in committee have kept me away to-day and prevented my listening to all the discussion on the amendment proposed by my hon. friend from Northumberland (Mr. McColl). The hon. the Minister of Justice has brought his great mind to bear on this, and I think has very successfully pointed out all the weak spots of the Bill, but very steadily avoided the main point at issue. I do not want to charge the hon. minister with not treating the committee fairly. It is only due to him to say that, in all probability, he did not know that the hon. member for Grey (Mr. Miller) said yesterday, and has said time and time again, that when this Bill reached the committee stage he intended to move an amendment which would enable two friends sitting at the grand stand in a race meet to bet on the result, if they wanted to do so. But the hon. Minister of Justice (Mr. Aylesworth) and those supporting the amendment would bowl this Bill out because they say it contains that stipulation. I admit that it does and that such a provision is not proper legislation, but I want to see the Bill get before the committee and be discussed clause by clause; and when we come to any clause not in the interests of the public, I reserve my right to vote against it.

We might as well state the issue and that is that the great difference between the Bill as reported by the Special Committee and the amendment of the hon. member for Northumberland (Mr. McColl) is that in the one case we are trying to keep the book-maker off the race-track and in the other we are leaving the door wide open. I propose to vote for the original Bill subject to the right to amend it when necessary, and I vote for it simply because I am opposed to book-making on the track. The Minister of Justice will not attempt to deny that, notwithstanding the beautiful language in which this proposed amendment is clothed, notwithstanding it may have been drafted by one of the greatest legal minds in England, notwithstanding its beautiful phraseology, it allows book-making to be carried on with impunity at any race meet practically in the Dominion. I am not

going into a long dissertation to show why I am opposed to book-making on the race-track. I have never had the privilege of attending the meets at Toronto, Hamilton or Montreal, but I have attended races in my own province since I was a boy, and I am as much a lover of a good horse as even the hon. member for Brandon (Mr. Sifton) or the hon. the Minister of Justice (Mr. Aylesworth), and I make the statement that there has been hardly an honest race in the maritime provinces, the last five or ten years. I am not talking now simply for the purpose of hearing my own voice, but I know what I am talking about, I know there are proprietors of race-tracks who have honestly tried to prevent these dishonest transactions, but so long as the book-maker is allowed to go on the track and carry on his business, so long will you have dishonest horse-racing. In the maritime provinces, as a rule, the races are sold before they are competed, and the innocent man who bets is simply betting with the dice loaded against him every time.

I am not going to discuss whether we can have horse-breeding without racing. I can only say that twenty years ago when we did not have any of these nefarious practices in the maritime provinces, we bred just as good horses as we are doing to-day. If you go down to the maritime provinces and ask any one who is in the habit of going to the races whether he is going now, he will say, no, that the races are sold out in advance. If you can eliminate book-making, you will have honest racing. The opponents of this Bill have done all they possibly could to defeat it. I thought that the hon. member for Northumberland (Mr. McColl) had made a very fair argument yesterday afternoon, but the substance of it was that if you do not allow betting you cannot have horse-racing. I take issue with my hon. friend. The next argument was that these running horses or thoroughbreds are necessary in the interests of horse-breeding. I take issue with that statement. If you had all the running horses and thoroughbreds in the country, they would hardly run one good farm or lumber camp. If rich people want to purchase such horses, that is their own affair, but such horses are not the class which form the back-bone and wealth of this country. I do not think that 99 out of 100 of our horses would suffer very much if this class were not encouraged. But I do not admit that you cannot encourage it without betting. The only question is whether or not book-making shall be allowed on the race-track, and being convinced that it should not, and that public sentiment is opposed to it, I shall vote in favour of the Bill.

Mr. CARVELL.

Mr. LANCASTER. I quite agree with a good deal that has been said by the Minister of Justice (Mr. Aylesworth), but there is one thing he said with which I do not agree, and that is that, in voting for the second reading, we committed ourselves to an attack on the race-tracks. What I understand is that all we committed ourselves to is the necessity of amending the law in some way so as to prohibit the vice of gambling in toto, so far as we can assume that it is a vice. Now, the question before the committee has narrowed down to this: Which is the best means to restrain the vice of gambling, if it be a vice? I do not say it is a vice; I never gambled myself, but I think a man has a right to gamble if his conscience tells him there is no harm in it. But, while that is my personal attitude, my opinion on the public question is that you cannot build up the manhood of this country by shackling the individual citizen so that it is impossible for him to do anything but what some particular person may think is in full accord with the beau ideal of righteousness. If you wish to build up the manhood of Canada, particularly among the young, you must teach them to resist temptation. You must so conduct public affairs as to appeal to their manhood, and you must teach them that only as they resist temptation will they grow in moral strength. Now, I am interested in voting for what my constituency thinks is best for the moral interest of the country. I have had a lot of petitions sent to me, not exactly praying, but almost commanding me, to vote for the Bill of the hon. gentleman for South Grey (Mr. Miller) in its entirety. I have had sensible letters and petitions sent from other people asking me to do the opposite in the interest of the horse-breeding industry. Now, what am I to do? I say that my duty is to do what is best to prohibit as much as possible the vice of gambling, if it be a vice. What would this Bill do? It would make illegal every form of gambling in which one has to deal with a professional. But, if you adopt the amendment of the hon. member for West Northumberland (Mr. McColl) you permit this kind of betting to be carried on in certain places where it is natural for it to be carried on, but you prohibit it in other places. You have, as it were, a vent—you allow the man who wants to make a bet to make it legally under conditions that are natural. For my part, if I had time, I would go to all the races, and I think I should never want to make a bet at all. But if a man does want to make a bet, is it not better that there should be a place where he can do it without being branded as a criminal? If you tell the people that they must not make a bet anywhere, betting will be carried on in a hypocritical way, these professionals will pretend to be private bettors, the ag-

gregate amount of betting will be more, and it will be done in defiance of the law, which is far worse for public morals than the condition which it is sought here to remedy. I believe sincerely that under the amendment of the hon. member for West Northumberland there will be less gambling in the aggregate and also less hypocrisy in regard to it. And the development of this hypocrisy is much worse than to leave a man uninterfered with who, as the Minister of Justice (Mr. Aylesworth) said, may wish to make a private bet, for instance, at the St. Catharines regatta, or at a football match. My hon. friend from South Grey (Mr. Miller), in my opinion—perhaps he does not care about that—is making a tactical mistake in the course he pursues in regard to this Bill. I made a suggestion to him yesterday with regard to the reading of the evidence which had only been printed in English. But, though he may not care for my opinion on the matter, I give him that nevertheless. If he is sincere, as I admit he is, I think he would have done better to have accepted the amendment of the hon. member for West Northumberland. I believe that under that amendment the country will make more progress in restraining the evil of gambling, if it be an evil, than would be made under the law which the hon. member (Mr. Miller) proposes. One great advantage would be that the House would then be unanimous, and the House being unanimous, the country, public opinion, would be behind it. The disadvantage is that, if we are not united in a matter of this kind, the people tend to take sides. Where public opinion is not strongly behind such a law as this, it cannot be well enforced, and the evasion of the law creates a class of hypocrites. I am bound to say that in the interest of morality, according to my judgment, the amendment of the hon. member for West Northumberland is the best legislation for us to pass.

Now, let me say a word about the horse-breeding industry. The gentlemen who tell me that this Bill will interfere with the horse-breeding industry are not the rich men pictured by the hon. member for Carleton, New Brunswick (Mr. Carvell) but they include in their numbers the stalwart fruit-growers of the county of Lincoln, who must have horses with a certain speed in their composition. I do not agree with the view expressed by some hon. members that the automobile is going to put the horse out of business. I think that the horse is still the noble animal and man's true friend that we were taught in school to believe him to be, and that he has great usefulness still. The fruit-growers of Niagara district need fast-going horses. They need horses with some strength, but they need speed also. Their product, fruit, is a perishable commodity, and it must be sent out fresh, and to be sure of catching the train which is to carry that fruit to market, horses with some speed are absolutely necessary. That is one reason why I think it is not quite fair to say that this legislation would interfere only with rich people who own running horses or fast trotting horses. For the reasons I have given, I feel bound to vote for the amendment of the hon. member for West Northumberland.

Mr. W. M. GERMAN (Welland). Mr. Speaker, I feel that I should have a few words to say in regard to this Bill before the vote is taken, more particularly by reason of the fact that one of the racing-tracks spoken of, and spoken of in a somewhat derogatory manner is owned—or rather, not owned, but operated—in the constituency which I, for the time, have the honour to represent. The learned counsel who looked after the interests of the promoters of this Bill saw fit to place the Fort Erie track and the Windsor track in a class by themselves, and, in his estimation, rather below the standard of such tracks as the Woodbine at Toronto, the track at Hamilton, and the track at Montreal. I presume that he made these statements because he was not aware of the facts as they exist. But I can tell him, as I tell this House, that there is no racing-track in Canada that is up to the standard, as a racing-track, of the track at Fort Erie. It is the best track by far that there is in this Dominion. And it is conducted now, and has been conducted from its inception, in as high and straightforward and honest a way as any race-track in Canada. It is true that the tracks at Fort Erie and Windsor have had racing days extending over a longer period than other tracks. But why? One reason is that they do not get the same numbers of people as does the track meet in Toronto. Toronto is a large city, and the racing meet is a great social event; all society turn out to attend that meeting, wearing their best clothes and looking very gay and happy and comfortable. The association has large gate receipts and can afford to pay large purses with a shorter number of days' racing than Fort Erie. In order to get the same class of horses at the Fort Erie and Windsor tracks as they have in Toronto it is necessary, from a financial point of view, to have a longer racing-meet than would be necessary in Toronto or Montreal. But I say, and any one who has visited these tracks, particularly any one who has visited the Fort Erie track during the racing-meet, will unite with me in saying, that the racing-meetings at Fort Erie are conducted on as high a plane as those of any of the other tracks in Canada. So, I wish, on behalf of the people of the county of Welland, to repudiate the suggestion that has gone forth that there is any violation of the moral law taking place on the

Fort Erie track other than on any other track.

Now I was rather pleased to hear the speech of the hon. member for West Peterborough (Mr. Stratton) on this question. He made such a speech as he usually makes in discussing public questions, and with a large portion of his speech I agree. For instance, he said it made no difference to him by whom this Bill was promoted, whether by the Lord's Day Alliance or by any other combination of people, and with that I agree. I know that the Lord's Day Alliance so-called, in the province of Ontario at any rate, has done a very large amount of good in maintaining the moral standard of the people of that province. I am quite willing to concede that, and I trust and believe that they will continue to do good. But when they, or when any other person says to me, or to other people in the province of Ontario, that what we have been in the habit of doing, what we have been brought up to believe is not a crime, is a crime, and that we are criminals in doing those things, then I object to that proposition. I do not think that they have a right to curtail freedom of action in those particulars. There is in this country a very wide divergence of opinion as to what can be done within the bounds of moral rectitude, and honour. A large number of people claim that running street cars on Sunday is a crime, that running electric cars through the country on that day is a crime. We know that some years ago when the Toronto Street Car Company desired to get a Bill passed to allow them to operate street cars on Sunday, they met with an enormously strong opposition. Many times that Bill went before the electors, and many times it was defeated, until eventually it was carried. Well, Sir, the street cars have been running in Toronto since then against the wishes of a large class of people. But I would like to ask any hon. gentleman in this House to-day what they think would be the result if a by-law was submitted to the people of Toronto now to stop the running of street cars on Sunday? Does not any person feel that such a by-law would be overwhelmingly defeated? The street cars are running to the benefit of the people of the city of Toronto. So it is with regard to many other things, with regard to these finer moral questions. I can also agree with the statement of the Minister of Justice that we are putting on the statute-book of Canada legislation declaring matters to be crimes which the general consensus of opinion throughout the country feel are not crimes at all.

Now there is a considerable degree of misunderstanding in regard to matters pertaining to the race-track. I have heard the book-makers condemned here very severely. I have no love for the book-makers, I am not a defender of the book-makers, I do not care anything about book-makers, whether they are on the track or not. But what I say is that we should not by legislation declare to be a crime what is a simple bet between individuals on the track, and that is what this law does, and if this legislation is adopted, that will be the result of it. The law in Canada in regard to this matter stood in one particular way for a great many years. But in 1892 it was thought that the law did not go far enough in exempting betting on race-tracks, and Sir John Thompson, who was then Minister of Justice, in consolidating the Criminal Code of Canada, introduced into the Bill a further exception. In section 235 of the Act, after the words 'to bets between individuals,' these words were added:

> Or made on the race-course of an incorporated association during the actual progress of a race-meeting.

At that time the matter was discussed very fully. Sir Louis Davies, who is now one of the judges of the Supreme Court of Canada, in speaking upon that matter said that parliament should thoroughly understand what they were doing, that they were legalizing bets that were made on the race-track. That was thoroughly discussed, and understood, and parliament at that time unanimously decided that that should be done, and the law has stood that way ever since. For myself I cannot see that any harm has been done by reason of that enactment, and that is the way that I for one would like to see it stand in the future. I think that this parliament, in eliminating that exception to the clause 235, is going further than it should go in this direction. There is another section of the Bill which it seems to me is not at all in the interest of the public, and that is in prohibiting the publishing of racing news. What would be the result? You would prevent Canadian newspapers from publishing the news, whereas the United States papers, which publish the same news, are delivered in Toronto in the morning almost as early as the Toronto papers, and you would cut off a considerable source of revenue to the Canadian newspapers. People who desired to procure this news would get United States papers instead. It seems to me that this Bill is one that should not pass, at any rate in its present form. The Bill which is introduced as an amendment is one which it seems to me will answer every purpose that is required, and to that I shall give my approval.

Mr. MEIGHEN. I feel great pleasure at being in accord with many of my hon. friends opposite in regard to this measure, and particularly I am so pleased to be in accord with the hon. member for Carleton, New Brunswick, (Mr. Carvell), that I must

indulge myself in making a few remarks. The hon. member for Carleton has come closer to my way of thinking, and his process of reasoning is more in accord with my own, than that of any other speaker who has addressed the House. In all matters of this character, matters that involve moral questions requiring legislation, we are led to conclusions through instinct, and an impulse of the heart, rather than by a distinct movement of the mind. Having taken up our position, which the great body of the public have taken with us, the circulation of information, and the advance of thought bringing each ultimately to the same conclusion, we look back, and try to find some process of reasoning, some pathway of thought by which we have arrived at that conclusion. There are two elements connected with the question, the hon. member for Regina (Mr. W. M. Martin), yesterday stated one of them, and he conceived it to be all. He stated that all each member of this House had to decide in his own mind was whether or not the institution of betting was a right or a wrong institution. The hon. member for Brandon (Mr. Sifton) took him to task for that statement, and I think rightly, but the hon. member for Brandon substituted in its place the proposition that all this House had to decide was whether it was for the good, the peace, and welfare of society to pass this Bill, or whether it was not, and that in coming to that conclusion the individual opinion of any hon. member of this House, as to the rightness or wrongness of betting, had nothing whatever to do with the case. With the latter statement made by the hon. member for Brandon I disagree just as firmly as I disagree with the statement of the hon. member for Regina. I believe with him that each member of this House, before he can intelligently defend his vote on this question, must decide whether the practice and institution of betting are right or wrong, and whether they are for the public good, the public weal or the public ill, as now conducted. I cannot conceive of any hon. member of this House voting to place in the category of crimes a practice which he in his heart believes to be good, and right, and in the interests of society. I believe that before he can vote for the Miller Bill he must, as one of the incidents of such decision, decide affirmatively that the practice of betting per se, is wrong as at present conducted. But I feel that he has more than that to decide. I do not think he has proceeded sufficiently far when he determines that in his view it would be better if this institution could be suppressed. He must also persuade himself that the general sentiment of the country, the sentiment of the people for whom he is legislating, is not only numerically in its favour, but is numerically sufficiently strong, and sufficiently impelling to enable the law to be enforced reasonably once it is placed upon the statute-book. Whether I agree with any other hon. member or not, my line of thought brings me to the conclusion that once an hon. member is convinced that the practice of betting does no good, but does harm, once he is convinced that the putting down of the practice, or a branch of the practice, a branch of the tree or the institution, if you cannot do it all, will be sufficiently supported by the public to ensure its reasonable enforcement, he must support the Bill and I cannot see how he can defend on the platform a vote against it. Those who agitate for the amendment do not contend, and I do not believe they can contend, that the amendment aims at or pretends to effect any further advance in the suppression of betting than does the Bill itself. The only difference between the amendment, and the Bill, that is in so far as the principle is concerned, leaving aside the details, and the expressions which may be adjusted in committee, is that the amendment leaves out unscathed, and untouched the practice of betting on race-tracks. That is to say that just as soon as the institution of betting stands out exposed, clear, in the light of the public eye, just as soon as we get on the fashionable race-track, we leave it untouched, we license it, and we declare it to be right. The question of where the amendment will lead is reduced down to one naked principle, and one alone. Whether or not a practice, which, if it is wrong per se, must be suppressed, can be right when it reaches its highest state of evolution, is exposed to the public view, and caters to the young and weak. To my mind the effort of those who will not support the Bill, and who dare not oppose it, is to effect their purpose not by denying the passage of the Bill, but by frittering it away by amendments.

I stated when I started out that there were two elements to the question under discussion—first of all the rightness or wrongness of the institution of betting, and, secondly, the question of public opinion. For my part I take the ground that the institution of betting in itself has done nobody any good in this world. I do not believe that under its best conditions it ever does any good, and I believe it does infinite harm. The institution of betting, when you wipe away the verbiage, when you look down at the principle of its being, its heart, and life, what is it? It is the attempt to get in this world by chance what should be got only by industry and toil. It is really based upon the desire to get the wages of this life without working for them. It is an effort to get the rewards of doing well by doing ill, an effort to get the prizes of life by doing in-

jury to one's fellows instead of doing them good. I am quite aware that for generations, and generations unknown during the past men have indulged in that practice, but I believe that what in one age may be a pleasureable habit may, in the next age, be a crime. This word 'crime' has been taken in this debate to mean something much more vicious than it logically should mean in a discussion of this sort? What is a crime? A crime may not be anything so very hideous. A crime is something which, for the purpose and good of society, is condemned as not in the interest of society, whereas, once, perhaps, it was not against the interests of society. It is something that the consensus of public opinion has affirmed that it is better to do without than to do with, though it might perhaps in certain cases do good concomitant with it. What was not a crime in the last century may be a crime in this. What is not a crime in Russia may be a crime in Canada. What was certainly not a crime in the days of Pitt may be a crime to-day. While I may never have made a bet in my life, may never even have been tempted in the matter, because, aside altogether from the moral considerations, during a large part of my life I had a very good reason for not betting, I am aware that the brightest mind that ever adorned the mother of parliaments was the most profligate bettor in the whole of the motherland. I am aware that the best men or some of the best of men of all ages, have indulged in betting, and I believe they did so conscientiously; and possibly under the conditions of society then existing they were doing no wrong, and it would not have been in the interests of that society to endeavour to suppress betting. But I believe that day has gone by. I believe that betting as they have it to-day has done harm, and great harm. I appeal to the judges quoted by the hon. member for Cape Breton (Mr. Maddin), and to the other authorities quoted by the hon. member for Regina (Mr. W. M. Martin), I appeal to the unanimous verdict of bench and pulpit, and to other institutions just as venerable throughout Great Britain, and throughout Greater Britain, and I appeal to my own experience and to my own observations throughout the years I have been able to observe, and I for one am convinced that if this parliament had it in its power to suppress utterly the whole institution of betting they would be doing a good service to society.

I do not follow the argument of hon. gentlemen who affirm that so long as we leave out betting in this form or in that form, we acknowledge the principle of betting to be good. I leave out betting in certain forms, I leave out betting in private houses and in some other places, not because it is not wrong in itself and should not be suppressed, but because it is beyond the power of parliament and beyond the power of the law to suppress it, and because public opinion is not sufficiently far advanced to warrant such legislation and to ensure its enforcement. When I find the element of gambling removed from the business element and clearly disclosed in its naked deformity, I say it is the duty of parliament to strike at it as soon as we find we effectively can. My hon. friend from Hamilton (Mr. Barker) pointed out that the element of betting entered into the practice of life insurance. He is quite right. Another gentleman said that the element of chance entered into transactions in groceries and in stocks. They are right too. But where chance enters into these transactions, it is not the only element, in some it is a very minor element, and it is impossible to eliminate that element of chance in betting and leave the rest. It is monstrous to think we can do so at present. Just as soon as we can I am prepared to legislate against the element of chance in these respects as well as in the form in which we are now attacking it, that is the form of race-track gambling. In that form there is absolutely no other element except the element of gambling, it is gambling pure and simple. With the construction of mind with which I am afflicted I cannot follow the reasoning by which the hon. member for Northumberland (Mr. McColl) arrives at the proposition that a man might gamble and still not be a gambler. It would be as reasonable to say that a man might murder and still not be a murderer. He might not be a professional gambler, but he could not gamble without gambling any more than he could murder without murdering. I do not wish to place the two in the same category. I believe that betting in many ways is but a slight offence and that in many cases it may do no harm, but it never does any good, and as an institution it brings about infinite misery and pain.

Is the public opinion of this country sufficiently strong to warrant this parliament in passing legislation in its present form? There may be a difference of opinion in that regard, there may be hon. members who are in a better position to judge of that than I. The hon. member for Brandon affirms that it is not, and he bases his affirmation on the statement that there was no discussion of this subject at the last election, and on the further statement that no public meetings have been called to demand this legislation, and that there has been no unanimity of opinion among the press of this country. If those three considerations exist and he is right in regard to them he would repeal almost half the whole Criminal Code. In the first place as regards discussion at the last election, every one knows that we were so busy discussing the

hon. member for Brandon and much of his history that we had not much time to discuss gambling and other subjects. But how much of the Criminal Code, what single act or habit which has been denied to humanity by our whole code has been asked for at a general election? What single provision has received the unanimous endorsation of the press? What single provision was passed by parliament by reason of public meetings throughout Canada demanding its passage? To every one of these questions the hon. member for Brandon would have to say, none. He says we have no indication that public opinion is behind this Bill. I ask him what significance attaches to the fact that for months our desks each morning have been covered with petitions like a snowstorm? Has any legislation ever been proposed to us for consideration that has been so thoroughly, so emphatically demanded by the people of Canada as this Bill? I do not know of any, I have not heard of any, I have not heard that since confederation a single principle of legislation or a single Bill was ever demanded in the form of petitions as unanimously as this Bill. I look to that, but I look further. I must admit in candour that doubtless a great many signed these petitions without any real appreciation of the legislation for which they were asking. I believe that applies to all petitions. I look to my own constituency, which adjoins Brandon; I believe that in my constituency as in that of the hon. member for Brandon there are a great many good people, better than I am and perhaps better than he is, who are opposed and conscientiously opposed to that legislation. But I believe the great mass of the people in both constituencies demand it, and judging other constituencies by these I conclude that there is a general demand for this legislation. These constituencies are no better and no worse than the average constituency in this country. They are constituencies that may well be taken as examples. There are cities in both, there are race-tracks in both, there are jockey clubs or similar institutions in both; those institutions are at one in demanding the negativing of this Bill, and the remainder of the people demand its passing. Consequently I think that if they may be taken as examples, and I think they should, they will illustrate that the great mass of public sentiment to an extent quite up to that pointed out by the hon. member for West Peterborough (Mr. Stratton) is in favour of this legislation. I do not think the hon member for Peterborough at all overstated the case. I believe that if a vote were taken in Manitoba, just as he said if it were taken in Ontario, 80 per cent of the voters would vote in favour of the suppression of race-track gambling. I do not think these figures overstate the fact. It is quite true that there may be constituencies more directly interested which are not of the same complexion; but, taking it all in all, I am of opinion that the public sentiment of this country demands this legislation, and that to deny it would be not to bring the law into contempt, as the hon. member for Brandon suggested, but rather to bring down in the estimation of the people of this country the standard of the parliament of Canada. For these reasons, and for no other—because I arrive at my conclusion by a very simple process—I shall support the Bill, and I hope it will not be whittled away by the passage of this amendment or by any other that may be suggested.

Mr. DEPUTY SPEAKER. I feel it necessary to call the attention of the committee to a point which probably should have been brought to their notice before. Had I been in the Chair last night when the amendment was offered, I would probably have called attention to it. The argument has turned so much on the proposed amendment that perhaps it has been delayed too long. The rule in discussing Bills in committee is that they shall be taken up clause by clause. This Bill has been announced, and clause No. 1 has been taken up. On this point Bourinot says of a Bill that has reached the committee:

> It is then considered clause by clause. Each clause is a distinct question, and must be separately discussed.

Rule 53 of the rules of the House says:

> In proceedings in Committee of the Whole House upon Bills, the preamble is first postponed, and then every clause considered by the committee in its proper order.

The amendment offered to clause 1 is not strictly an amendment to clause 1; it proposes to introduce a new Bill entirely instead of the Bill before the House. It cannot be accepted as a proper amendment. There is nothing, however, to prevent the hon. gentleman presenting his views, clause by clause, or in any way that he desires; but, unless the committee should otherwise decide, I cannot consider this an amendment to clause 1.

Mr. R. L. BORDEN. I understand, then, from your ruling that the proper procedure would be this, that a vote should be taken on each clause of the Bill, and if the various clauses were defeated, then it would be proper for the hon. gentleman presenting this amendment to move each clause of it, so that it would become part of the Bill.

Mr. DEPUTY SPEAKER. I think the hon. leader of the opposition has expressed my view of the matter.

Mr. SPROULE. May I be allowed, as one who was present at the time, to explain what happened. Owing to the sud-

den termination of the debate when the Speaker was in the Chair, some complaint having been made of that, I believe the general consensus of opinion expressed in the House was that those who desired to speak should be allowed to speak generally on the Bill, though in Committee of the Whole. On that understanding the debate has continued since, and, therefore, I would not regard it as being out of order. It was practically with the unanimous consent of the House, because as far as I heard, no one objected.

Mr. DEPUTY SPEAKER. I am not objecting to the debate. I am quite prepared to allow all the latitude which hon. members desire in discussing the Bill; but I feel that I cannot accept the amendment as an amendment to clause 1.

Mr. W. F. MACLEAN. Notwithstanding that it is the understanding of the House that the question can be speedily settled in that way?

Mr. DEPUTY SPEAKER. I would not desire to place myself in antagonism to the unanimous view of the committee; yet the committee is bound by the rules of the House. The House itself can change its rules; the committee cannot.

Mr. J. HAGGART. Do I understand, then, that this amendment may be moved when the preamble is moved?

Mr. DEPUTY SPEAKER. I would think not, unless the committee chose to reconsider what it had already decided; because when the preamble is being considered, this amendment would very likely be a motion to change what the committee had already decided upon.

Mr. J. HAGGART. Then, according to your statement, you have no amendment before you at the present moment which can be moved to any of the clauses of the Bill?

Mr. DEPUTY SPEAKER. Section 1 is before the committee. It is open to amendment; but the proposed amendment covers all the sections in the Bill, sections which are not now before the committee. It proposes an entirely new Bill to replace the whole of the Bill before the committee.

Mr. J. HAGGART. Do I undersand that a portion of this amendment may be moved as an amendment to the first clause?

Mr. DEPUTY SPEAKER. Any amendment may be made to section 1 that is relevant to the subject it bears upon.

Mr. R. L. BORDEN. I think the situation is very clear under the ruling of the chairman. We are now dealing with the proposal to amend section 226 of the Criminal Code, and it is quite open to any hon. member of this House to propose an amendment to section 226 of the Criminal Code in any other terms that he may see fit, or to move that section 1 be struck out altogether. But the chairman has ruled that we must take each section of the Bill in its turn, and if all the clauses of the Bill should be disposed of without all the amendments having been dealt with, then it would be proper to add to the Bill any clauses of the proposed amendment upon proper motion to that effect.

Mr. CROSBY. I understand that the Bill may be discussed, but not the amendment?

Mr. DEPUTY SPEAKER. Clause 1 is before the committee, and it is the only clause that is before the committee; but, as the discussion has been very broad, I would not at all wish to confine it to that clause if it is the desire of the committee to discuss the principle generally.

Mr. CROSBY. Then I wish to say a few words with regard to the question. I would not possibly have said a word on the Bill now before the House had it not been for the fact that brought my hon. friend from Portage la Prairie (Mr. Meighen) to his feet. He wished to endorse the sentiments expressed by the hon. member for Carleton (Mr. Carvell). It is because of a broad statement made by the hon. member for Carleton that I feel compelled to take part in this discussion. That hon. gentleman stated that not a race was started in the maritime provinces that was not sold before it started.

Mr. CARVELL. My hon. friend is not quoting me quite correctly. I stated that a very large proportion of those races were sold out before they started, and I repeat it.

Mr. CROSBY. I accept that, but I took the words down as I stated them. I understand my hon. friend to say now that the greater proportion of the races which take place in the maritime provinces are sold out before they start.

Mr. CARVELL. I stand by that statement.

Mr. CROSBY. Then my hon. friend will have very little to stand on by the time I have made my statement. In the principal province of the maritime provinces we have in the city of Halifax a track second to none, and perhaps the best track east of Montreal. We hold speed contests on that track once a year and for eight or ten days. That track is governed and controlled by an exhibition commission, which is appointed by the provincial government, the city council of Halifax, and the Farmers' Association of Nova Scotia. The best men go there and

no better men can be got anywhere. They control the race-track, they have had that race-track in operation some ten or twelve years, and I never heard any charge that any race at any of these meets was sold. We have no book-makers there and no gambling. I have been at these races frequently, and have known many very prominent men from New Brunswick to bring their horses there.

Mr. CARVELL. And get fleeced too.

Mr. CROSBY. My hon. friend cannot produce any proof of that statement, but from what he has said they get fleeced in their own province. We have no such practices going on in our province as he refers to at the race meets in his. Let me say that the track at Halifax is one of the best, if not the best east of Montreal, and that what we give there is speed contests for which purses are offered. These contests are run under a board of management which would not permit any wrongdoing. If my hon. friend has any evidence in support of the statement he made about the race-track at Halifax, he ought to produce it or else retract what he said.

Being a layman I am not competent to give an opinion on the practical effect of this measure, but judging by the argument of the hon. the Minister of Justice (Mr. Aylesworth), I am of the opinion that there is something in this measure I should not vote for, and that the amendment is one which I can fairly and honestly support. I only rose for the purpose of drawing attention to the statement of the hon. member for Carleton (Mr. Carvell) who has made a most unwarranted charge against prominent men of Halifax, and whose charge is contradicted by the very fact that leading horse-owners in New Brunswick patronize the race track in that city.

Mr. CARVELL. I did not intend to enter into a discussion with the hon. member for Halifax (Mr. Crosby) regarding what takes place in that noble city. I take full responsibility for every word I have said, and, notwithstanding the statement made by my hon. friend, I do not propose to withdraw a syllable. I did not say anything about Halifax, but the trouble with this hon. gentleman is that he has a craze over Halifax, and thinks that Halifax is the only place on earth. It is quite a nice little place, but you cannot bring a subject up from the Lord's Day Bill down to the gambling transaction, but the city of Halifax must be brought into it. The best evidence that there is truth in what I have said will be found in the fact that it is not the people of Halifax or New Brunswick who are to blame, but the Americans who come over there in numbers with their horses and book-makers. It is they who make all the trouble. So great is the evil that the Maritime Association has passed within the last three weeks a resolution entirely excluding American horses except those coming from the northern part of Maine.

Mr. THOBURN. It is not my intention to detain the House very long. I do not wish that the few remarks I am about to make shall be construed as implying that I am opposed to any one owning a good race-horse, or attending a race-meet. The only thing I cannot understand is what connection there is between a race-track and gambling and betting. I have heard a good many arguments on both sides upon this Bill, but I have not heard any good reason why I should not vote for it. There has not been a single argument brought forward which could induce me to vote for gambling on the race-track. As I understand this Bill, it is good legislation in the best interests of the people at large. The only great point which I think has been missed in the argument so far, is the influence which has been brought to bear upon the members of this House to vote for the Bill. When the Navy Bill was before us, many hon. members thought it would be a good idea to take the opinion of the people upon it before enacting any legislation. I would like to ask if there was ever a Bill introduced into this House in favour of which more petitions were presented than the one under discussion. Those petitions were scattered throughout this Dominion. They were not circulated secretly; and if a large number of people are opposed to the measure, as some hon. members would lead us to believe, why have they not sent in petitions against it? I am not aware that a single petition has been presented in opposition to it. I would like to know if those who are opposed to this Bill would make that a plank in their platform at the next general election. Judging from the number of petitions presented, one would be led to believe that any one who would dare to vote in opposition to this Bill would be elected to stay at home.

Mr. W. F. MACLEAN. I am not afraid to go back, and would like to fight the issue out with you.

Mr. THOBURN. We would see what the result would be. Hon. gentlemen opposite would lead you to believe that the Bill was opposed to the race-track. I do not understand it so. As I understand the Bill, it is opposed to the pernicious gambling that takes place on the race-track. It was argued by some hon. members that race-meetings could not be maintained without betting or gambling. I am informed by one of the hon. members for Prince Edward Island that they have good race-meetings there without betting. And the hon. mem-

ber for Halifax (Mr. Crosby) has just told us that they have the best race-meetings, attended by the best class of people in this Dominion—most successful meetings----and no betting. And what was the testimony of the hon. member for South Cape Breton (Mr. Maddin)? That hon. gentleman told us yesterday of ten places in Nova Scotia where they hold successful race-meetings without betting. Let me quote a few words from the hon. member from South Cape Breton as to how race-meetings are conducted there without gambling:

The horse-racing of Nova Scotia is as well conducted as that in any part of Canada, and it is carried on there without the assistance of book-makers or anything of that kind. The gentlemen who conduct the races in Nova Scotia are the equals of those who conduct horse-racing in any other part of Canada.

Now, I would ask the House: If you can have race-meetings in these different places successfully carried on without betting, why cannot we have them in Ontario and Quebec?

Again, we are told that we have no right to legislate for what is considered in the best interest of this country. I would like to know what the Department of the Minister of Justice exists for if it is not to legislate in the best interest of the people? The good book tells us: Thou shalt not steal. And we do not hesitate to legislate against stealing. Has not the parliament always legislated against evil? And, if that is the case, why should we not legislate against gambling at race-track meetings? I have here a document which was received, I think, by every member of this House, and perhaps by every member of the Senate. It reads as follows:

THE MILLER BILL.

Methods used to influence members in its behalf.

The following is a copy of a letter sent broadcast throughout Canada to the clergy by S. D. Chown, general secretary of the Methodist Temperance and Moral Reform Department, and was published in the Toronto 'World' of March 28, showing the means used to influence the members of the Senate and House of Commons in securing their vote for the Miller Bill. The appeal is addressed to the dear brother, and reads as follows:

It would be of the highest importance if you would preach upon the subject of gambling on Sunday, April 3, or as soon thereafter as possible. If we have not already done so, we will supply you with material, immediately upon request, which will be of assistance to you in the preparation of a suitable sermon. We have reached the crucial stage and must strain every nerve to succeed. If you could induce any of your influential men wisely to approach your representative in the House of Commons and any senators they may know, in the interests of the Miller Bill, it would be well done just now.

This has been the system employed by this organization to secure the abolition of racing. What do you think of it?

Now, I happen to know the gentleman referred to in this paper, Rev. Dr. Chown, and I want to say right here that there is not a clergyman in the Dominion of Canada who is held in higher esteem by the denomination to which he belongs than is Rev. Dr. Chown. It is for that reason that he was elected by the church to which he belongs to travel over this whole Dominion in the interest of temperance and moral reform. I am personally well acquainted with him, and I have never known him to issue a statement, in the press or otherwise, that he was ashamed to put his name to. But whoever issued the document I have just quoted was ashamed to put his name to it, and he winds up by asking: 'What do you think of it?' I would ask any hon. member to point out a sentence in the address issued by Dr. Chown to his clergymen to which objection could be taken, coming from one in his position. And when this document winds up by asking: 'What do you think of it?' I can only say that, so far as I am concerned, if race-tracks can only be maintained by betting and gambling, then, in the best interest of the people of Canada, let the race-track go.

Mr. R. L. BORDEN. Just a very few words in connection with this Bill. So far as the promoters of the Bill are concerned, I am not inclined to agree in the animadversions passed upon these gentlemen, for I have no doubt that they have the best interest of the country at heart. Whatever may be said as to the advisability of some of the arguments put forward, I entirely agree that these gentlemen are engaged in endeavouring to deal with what is an admitted evil, and one which requires some legislative remedy. The debate, so far, has been upon the Bill as a whole. I do not want to deal at this moment with the Bill as a whole, nor with the amendment as a whole. I will speak of that a little later. There are some provisions in the Bill which I think are extreme. There are some considerations with respect to the amendment which lead me to believe, that, as it stands, it is not wholly satisfactory.

But first I wish to point out the remarkable situation with which parliament is confronted at the present time. The government of any country enjoying British institutions is supposed to deal with all legislation of an important character coming before parliament. The control of that legislation is with the government, and modern constitutional authorities, as well as those of not so recent date, impose upon the government the responsibility of dealing with matters of this character. I do not know of any subject in respect

of which a greater responsibility is imposed upon the government of this or any other country than the control of criminal legislation. Surely, if there is one subject more than another as to which a government should be disposed to accept responsibilty, it is the framing and moulding and amendment of the criminal law. This Bill is legislation which the government of Canada considers of such great importance that it interrupts the government business for two days, and calls upon parliament to deal with it. And we have the extraordinary spectacle of the Minister of Justice standing up in his place and saying that this Bill, for which the regular business of the country has been delayed, is not only of an extraordinary, but absolutely of an outrageous character. I do not think any parallel to this situation can be found in the history of parliamentary proceedings in recent years. What is the modern rule with regard to responsibility of the government? Let me quote from Mr. Low's well known work on the 'Governance of England,' published in 1904:

That the ministry should initiate legislation is a characteristic part of our system. The cabinet drafts its measures and submits them to the legislature, which considers and discusses them, as a body of persons arranged in parties, not as a collection of individuals, each entitled to have his own opinion on public policy and allowed some opportunity of carrying his views into effect. Every transaction, every project of law, comes before the House as an act of the ministry and an act of the party. If it fails, or should be condemned, the result is a blow to the executive, and indirectly to that portion of the electorate by whom they are appointed. The system checks irresponsible sciolism, and hasty experimentalizing. It may render legislation slow, but it prevents it from becoming fantastic.

Further on he quotes the language of John Stuart Mill, which it may be worth while for me to quote also:

When, said John Stuart Mill, in a speech in the House of Commons in 1863, a popular body knows what it is fit for and what it is unfit for, it will more and more understand that it is not its business to administer, but that it is its business to see that the administration is done by proper persons, and to keep them to their duties. I hope it will be more and more felt that the duty of this House is to put the right persons on the treasury benches, and when there to keep them to their work. People will more value the importance of this principle the longer they have experience of it.

Then the author continues as follows:

The operation of the principle has been carried much further since Mill spoke. It is not merely a question of cabinet initiative and direction, but of cabinet authority over legislation, almost unrestrained.

That is the modern doctrine in Great Britain, it is the modern doctrine in Canada. Yet, we see the government of this country, in respect to a matter of vital importance to the public welfare, abdicating its functions, interrupting the business of parliament, while allowing this debate to go on entirely irrespective of government responsibility. I could quote further from this book in support of that principle. I will also quote from Mr. Todd's book in support of the same principle. In Mr. Todd's well known work on Parliamentary Government in England, he says, on page 500, volume 2:

It has been shown that whereas, by modern constitutional practice ministers are required to initiate Bills upon all questions affecting the public welfare—it being in the power of private members likewise to introduce similar measures—it is customary and expedient that considerable latitude should be granted to the legislative chambers in amending or rejecting the ministerial measures, without it being assumed by any such proceeding that they have withdrawn their confidence in the advisers of the Crown.

Then, further on:

But we find no example of any Bill being permitted to pass through both Houses to which ministers were persistently opposed. Where the opinion of parliament has been unequivocally expressed in favour of a particular Bill, regardless of objections thereto expressed by ministers, it has been the invariable practice for ministers either to relinquish their opposition in deference to that opinion, and to lend their aid to carry the measure, with such amendments as might be necessary to conform it to their own ideas of public policy, or else to resign.

That is the doctrine which Todd has laid down with regard to ministerial responsibility. But to-day we have the peculiar spectacle of this Bill presented to parliament, not upon the responsibility of the government, but upon the responsibility of a private member on the government side, and the business of the government, at this late stage of the session, being interrupted for two days. We also find the Minister of Justice rising in his place and saying that in his opinion, he being the law officer of the Crown, this Bill so presented is absolutely extreme, and one which ought not to receive the sanction of this parliament. I say again that I know of no parallel to this situation in recent years in the parliament of any English-speaking country, now, with regard to the first section of the Bill with which we are engaged at present, I do not find that it differs very much from the section in the Criminal Code of Canada as it exists to-day. There are two or three words omitted in different parts of the section, and I am not aware of what is supposed to be the effect of the omission of those words. We

are at this moment not doing the ordinary work done in committee of this House upon the Bill—I am not finding fault with that, I find no fault with the character of the discussion, and have no desire to interrupt it. But I do say that we must get down to business upon this section, and get through with it. I would like to find out, for my own information, what is the effect of the proposed change. At present I see no great objection to it. When we get to the other clauses of the Bill, I shall have something to say as to the effect, which, in my opinion, they would have. But I repeat that I see no great objection to this section. Nevertheless, I do say that in respect to this the whole Bill from beginning to end, it is the duty of the government to accept responsibility for this legislation, to say either that it is good legislation or that it is not good legislation, to accept full responsibility, and not run away from it as they have been doing.

Sir WILFRID LAURIER. My hon. friend has laid down a doctrine which he would find some difficulty in maintaining in practice in this parliament. The question which he has brought up to-day is not at all new to old members of the House. Again and again private members have used the privilege they have of introducing legislation, and again and again the government have refused to take up a position either for or against it. If the Bill at present before us is of such a character that it is the duty of the government to take a position upon it, it is equally the duty of the opposition to take one side or the other in regard to it; and if the government is failing in its duty, the opposition is equally failing in its duty. I remember many occasions in former years when legislation for a prohibitory law was introduced into this House, session after session, and the government then led by Sir John A. Macdonald always refused to take the measure up as a government measure. Old members of this House remember that very well. I see before me now men who, at that time, were members of the government, and others who were supporters of the government, and they well remember the cases to which I allude. Here is a question which interests certain members of the community. here is a question as to which men have strong views, and would like this legislation to be assumed by the government. The government, I may say—I am revealing no secret, it is a matter of public notoriety—the government was approached and asked to make this Bill a government measure, they urged that it was of such an important character as that the government should take a position upon it. The House is aware, and the country is aware, that the government refused to assume responsibility for the measure, the government refused to take it up. But while the government were of that opinion, men who were promoting this legislation thought that they would use the privilege which is given to every member of this House to present Bills for the consideration of the House. Those men have strong views upon moral questions, and regarded this question as of great importance, and it was the duty of the government to give them an opportunity of presenting their views to the House in regard to it. This opportunity has been given them by the government and having given them that opportunity the government have discharged their duty and are not called upon to do anything more. If my hon. friend thinks that we are bound to have an attitude upon this question I will say to him that I have known instances in which my hon. friend has introduced resolutions stating that it was our duty to introduce legislation of such and such a character. I remember that not more than three or four years ago, my hon. friend, in his official capacity in this House as leader of the opposition, introduced a resolution to the effect that it was the duty of the government to take up such and such a question with reference to the electoral law. Then, my hon. friend thought it was a question of such importance that, in the language of the authority which he has just quoted, the government were bound to take a position and to say whether they were or were not in favour of his Bill to amend the electoral law. His position is to-day that it is the duty of the government to announce a policy upon this particular question. But, it must be remembered that the country at large has not yet formed an opinion upon this question. We know how in British countries reforms are generally carried out. It does not follow that that which is taken to be public opinion will turn out to be a reform. Very often questions are brought up and finally the change is accepted as a reform. We know how many years it took to bring about the great reforms of the last century not only in this country but in Great Britain, and we know how long a time elapsed before they were taken up by the government. Let me take a famous instance, an instance with which we are all familiar—the abolition of the Corn laws. How many years did it take? How many times was that Bill introduced before it was taken up by the government? Was it the first, the second or the third year? No, it was not until five, or six, or if I mistake not ten years had elapsed that public opinion had been brought to that pitch of excitement, to that degree of conviction, that the government thought there was need of re-

form, that there was a question to be determined and then they put their hands to the plough and carried out that great reform. My hon. friend from South Grey (Mr. Miller) has brought the attention of the House to this question. It is the first time, in so far as my memory goes, that it has ever come before the Canadian people. There have been petitions presented in favour of it. I have not heard of any counter opinion but the opinion of men is not formed upon it. Some are for it and some are against it. On this side of the House some are for it and some are against it; on the other side of the House, some are for it and some are against it. I say to my hon. friend (Mr. Borden) that whatever may the case in the future, at the present time public opinion has not reached such a point that the government feel called upon to take an attitude upon this question. It is a free question and so it ought to remain notwithstanding that my hon. friend thinks that it is the duty of the government to take it up.

Mr. R. L. BORDEN. I would like to ask my right hon. friend if he thinks there is an evil which requires to be reformed?

Sir WILFRID LAURIER. As far as I am concerned?

Mr. R. L. BORDEN. As far as the government is concerned.

Sir WILFRID LAURIER. This one?

Mr. R. L. BORDEN. Is there an evil in respect to the matter brought before the House which requires to be reformed?

Mr. FIELDING. What does my hon. friend think about it?

Mr. R. L. BORDEN. I think there is.

Mr. FIELDING. In that respect my hon. friend and I are alike: I think there is an evil which we should make an effort to reform.

Mr. R. L. BORDEN. May I be permitted to say to my hon. friend that if there is an evil that the government thinks requires a remedy why does not the government take the responsibility of remedying it?

Mr. FIELDING. My hon. friend has misquoted what I said; I did not say there was an evil which the government thought should be reformed. He has turned my sentence to serve his own purpose. I said there was an evil which I thought should be reformed, but the hon. gentleman has turned the sentence in order that he could serve his own purpose. I am sorry that the only contribution which the hon. gentleman could make to this debate is a miserable effort to make party capital out of it. I dissent entirely from the extreme to which the hon. gentleman presses the doctrine that the government are responsible for every measure that comes before the House. If it were so we might have to lay down a new doctrine, and say that the hon. gentleman has as much responsibility as we have in this matter. The hon. gentleman presses the doctrine that the government must take up every question that comes before the House, and he asks for precedents. My right hon. friend the leader of the government (Sir Wilfrid Laurier) has given him precedents in the history of this country, and these are certainly more to our purpose than precedents drawn even from the British parliament. I am sure that every member of this House, the older members, and even those who are not old members, can recall cases where questions arose in this House on which the members of the government differed. If they differ, which is the better course—that they should pretend to agree or that they should frankly say: This is not a party question, this is not a government question, it is a question upon which members of the government disagree, and therefore, we propose to leave it an open question before the House. There is this curious thing that when it comes to a public Bill, or a private Bill, or anything which is in the nature of a Bill, if it so happens that the members of the government unite upon the matter, we are instantly told from the other side of the House that the party whip is being used. That is the attitude of hon. gentlemen opposite. When it happens accidentally that a number of the members of the government think alike, and speak in support of a private Bill, the cry is raised that it is not a government measure, and that we are being brought into line by the party whip. If the facts had been as represented the criticism would be just. Our system of party government calls for unity of action in a great many things, but in all things it is not possible to have unity, and if, in this matter, there be differences of opinion among members of the government surely the most sensible thing is that we should say to my hon. friend from South Grey (Mr. Miller): You have brought an important question before the House, we do not all agree on it, let it be an open question, and let each man vote as he thinks best. My right hon. friend cited one of the precedents in Great Britain for the position which he takes. If you look for them I am sure you could see other precedents of the same kind. I have a precedent in my mind that occurred not long ago, the question of Women's suffrage. The question of the right to vote is at least as important a question as that which is dealt with in this Bill

before the House. But do we not all know that the British government have declined to take ground upon that suffrage question? A member of the British government stated at a great public meeting that there was a division of opinion in the House, and in both parties on that great question, and that the government were not prepared to take the responsibility of a woman's suffrage Bill. He said that if a woman suffrage Bill was brought before the House, and a majority of the House would vote for it, then the government would recognize it to be its duty to take it up, and give effect to the will of the House, but that up to that time the government was not prepared to act. Is that violating all the traditions of the British parliament? I say that the extreme to which my hon. friend has pressed the matter is not warranted. It is not in accordance with the best practice of the British parliament, and I take the ground that it is not consistent with common sense. If upon any question, not a matter of vital importance, in the view of all the members of the government, there is a difference of opinion which prevents the government uniting, and coming to this House with a measure, the simple common sense method is to say: This is a fair, open matter for debate, and each one of us shall vote in accordance with his judgment, so that the will of the House shall be allowed to prevail.

Mr. J. HAGGART. The doctrine laid down by the Minister of Finance is a new one.

Mr. FIELDING. Not at all, it is very old; my hon. friend has practised it.

Mr. J. HAGGART. The doctrine as practised in this House, and as I have heard the Prime Minister state on former occasions is that the government is responsible for all legislation, private or otherwise. There is no doubt as to the responsibility, and there is no doubt that the leader of the opposition (Mr. R. L. Borden) is right in saying that the government are responsible for all measures which pass this House.

Mr. FIELDING. That is where they recommend the Royal Assent to them.

Mr. J. HAGGART. Not when they represent the Royal Assent, the government is responsible for the legislation that passes this House. That is the doctrine that has always been held in the House. There is no objection to an hon. gentleman introducing a Bill, and discussing it, but when a public Bill refers to crime, and a minister of the cabinet ridicules the idea of it being a crime, and says that such an absurdity was never heard of, I have only to say that if there is one thing for which the cabinet ought to be responsible it is the definition of what is a crime. These gentlemen are capable of holding different opinions upon such subjects. They say it is a duty and privilege of the government for a member of the government, the Minister of Justice, to declare that what the Bill proposes to make a crime is ridiculous, and for these gentlemen to hold different opinions. In England it is impossible for a private individual to pass a Bill, that can only be done by the consent of the government. He may introduce a Bill, and discuss it perhaps for several sessions, he may impose his opinions on the House, those opinions may be forced on the government, and the government may introduce the Bill. A Bill of this kind could not become law in England without the government consenting to it, and taking it up. I contend that the principle laid down by the leader of the opposition is the correct one, that the government is responsible for all legislation, be it a railway Bill, or any other Bill. They have no right to have differences of opinion on a question coming before the House. Ministers may have different opinions, but when it comes to legislation they ought to have but one opinion, each measure should have the unanimous support of the government. I should judge from the speech of the right hon. gentleman (Sir Wilfrid Laurier) that he has heard the opinions of the gentleman who has introduced this Bill, and the arguments on the subject, but does not intend to let it become law until they have had further opportunity of discussing it, that the government have not formed an opinion on the subject. That is perfectly proper, they have a right to say that. The question has been discussed in this House, they have not come to a conclusion on the subject, but they ought to be prepared to say whether legislation of that kind shall be permitted, and receive the government sanction.

Mr. MILLER. The leader of the opposition has spoken of the differences between section 226 in the Bill, and in the Criminal Code as it is to-day. That hon. gentleman has said that he had no objection to section 226 as it is in the proposed Bill, but that he would like to know the meaning of the changes that have been made. He will notice that in every place where the words 'a place' are used in the present section in the Code, the words 'house, room, or other place' are used. The words 'a house or room' have been left out.

Mr. R. L. BORDEN. What is the object?

Mr. MILLER. It was held by the courts that the use of the words 'a house or room' rather weakened than strengthened the language, and therefore the words were left out, leaving simply the word 'place' and in the next section a definition of the word 'place' has been inserted. That is supposed to strengthen the language.

Mr. R. L. BORDEN. I understand then that the courts have held that the word 'place' in the law as it is to-day must be construed with reference to the words 'house or room' and therefore that the meaning of the word 'place' is not so wide in connection with these two words as it would be if it was there alone.

Mr. MILLER. Yes. The great opposition of the Minister of Justice was because the Bill interfered with private betting. I propose when we come to section 2 to add:

The provision of this section shall not extend to the case of a bet between individuals neither of whom is engaged in book-making or betting as a business.

And if the Minister of Justice will say when we come to consider section 235 that it is necessary to add these words to that section I will be willing to do it so that it will be clear that the Bill does not interfere with private betting.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. MADDIN. Before the House rose for dinner, some discussion had taken place with regard to the functions of an opposition on matters of public importance coming before a government. The hon. Finance Minister asked the opinion of the leader of the opposition, and the right hon. the Prime Minister stated that if it were important that the government should adopt a policy with regard to a public Bill of this kind, it was also important that the opposition should do likewise. I would like to refer the right hon. gentleman to a statement made by Edmund Burke in his speech on Conciliation with America, in which he laid down what he conceived to be the duties of an opposition. He said:

It generally argues some degree of natural impotence of mind or some want of knowledge of the world to hazard plans of government except from the seat of authority.

And I have no doubt that when hon. gentlemen on this side of the House cross to the other side, they will not shirk their responsibility with regard to public Bills, as is being done with regard to this particular Bill. Before hon. members come to a conclusion with regard to this measure, I would like that there should be no misapprehension in their minds with regard to the Bill and the amendment. The hon. Minister of Justice, who should be greatly concerned with this Bill, which if it passes will become part of the criminal law of the country, takes up section 227 of the Bill, and reads it as follows:

A common betting place is a place—

(a) used for the purpose of betting between persons resorting thereto and

(ii) any person using the same.

And he says that if a gentleman went to a horse race accompanied by a fair companion and laid a wager with her of a pair of gloves, it would not be a long cry for a magistrate to find him guilty under this Act. Now, I would like to point out to hon. members that it is essential that there be two parties to a bet, and this Act fixes as one of the parties 'persons resorting thereto,' that is, to the race-track, and the other party, as 'the owner, occupier or keeper thereof,' or 'any person using the same.' The Minister of Justice wishes to draw the inference that the 'persons resorting thereto' are 'users' of the place. They are not within the meaning of this Act, because the user of a place undoubtedly means the lessee or tenant or some one occupying the race-track. I submit that it is straining a criminal enactment beyond the limits that any court would strain it, in order to put the interpretation on this section that the Minister of Justice does. He was straining at a gnat when he sought to convey the idea that a person would be convicted who would bet a pair of gloves at a horse race. There is absolutely nothing in this Bill which would make a person liable for private betting at a race-track or outside of a race-track. But, says the Minister of Justice, I am opposed to the Bill, and I am in favour of the amendment. We find how he strained at a gnat; let us see how he can swallow a camel. Subsection 4 of section 228A of the amendment reads as follows:

4. For the purpose of this section the word 'street' shall include any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not; and the words 'public place' shall include public park, garden, or seabeach, and any uninclosed ground to which the public for the time being have restricted access, and shall also include every inclosed place (not being a public park or garden) to which the public have a restricted right of access, whether on payment or otherwise, if at or near every public entrance there is conspicuously exhibited by the owners or persons having control of the place a notice prohibiting betting therein.

Now, I would like hon. members to keep that paragraph of the amendment in mind. In effect, it operates in this way. A is the owner of a race-track. B is a book-maker. B goes to A and says: 'I would like to make a book at your race-track next week.' A says: 'What will you give me?' B says: 'I will give you 25 per cent.' A says: 'That is not sufficient.' 'Well,' says B, 'I will make my book outside of your race-track.' A says: 'No, indeed, you will not, because I will put up notices prohibiting betting.' 'Then,' says B, 'well, what do you want?' A says: 'I want 50 per cent.' 'Well,' says B, 'if you must

have 50 per cent, I will give it. A says: 'All right, walk right in, make yourself comfortable, go on with your betting, there will be no signs put up'; and the betting goes merrily on. I venture to say that if the members of the jockey club from whom this amendment emanates had prepared it last summer and presented it to this House this winter, they would not have got ten members of this House on either side to support it. It simply means placing in the hands of the owners of race-track and gambling resorts the authority to make it legal or illegal to gamble, according to their own fancy. When this Bill was up for its second reading, the Minister of Justice, poking some fun at the definition of a betting place in the Act, cracked what he considered to be a very good conundrum. He asked: 'When is a dog's tail not a dog's tail? The answer was: 'When it is a-waggin'; and he thought it a very good joke. Well, I would like to say that in this subsection 4 there also arises a conundrum. It is: 'When is an offence not an offence'? The answer is: 'When there is no notice on the fence.' Now, this amendment, vesting the right to say that gambling may or may not be carried on, in the owner's and lessees of race-tracks is one of the most flagrant and barefaced pieces of legislation ever offered to a legislative body. It is an insult to this parliament to ask it to legislate in that way. I wish the hon. members of this House, before voting on this Bill, to bear in mind that the Bill as it now stands before the committee does not interfere with private betting, and that the amendment as proposed clothes the owners and lessees of race-tracks with authority to say whether gambling shall be carried on legally or not, which would be a lamentable state of affairs.

Some hon. MEMBERS. Question, question.

Mr. MILLER. I want to say a word or two as to the opinion given by the Minister of Justice before dinner in regard to the section of the Bill we are now discussing, and in regard to the amendment. The hon. the Minister of Justice says he prefers the amendment offered by the hon. member for West Northumberland (Mr. McColl) to the Bill as it is before the House. Let me call the attention of the committee to the last paragraph of the amendment:

Provided no such race-meeting shall continue for more than 12 days of continuous racing.

The hon. member for Lincoln (Mr. Lancaster) said he thought that would be a great improvement. I would like to ask where the improvement is in narrowing racing to twelve days per meeting and allowing two meetings in a year.

Mr. MADDIN.

Mr. McCOLL. It is eight days in the amendment, not twelve.

Mr. MILLER. That would make it 16 days in the year. It would cut four days off the Woodbine meet as held to-day. It would be an improvement, not to those who are supporting the Bill, but to the proprietors of race-track associations in this way. The law, as interpreted by Canadian courts, compels a book-maker to move about from place to place and prohibits him from locating himself anywhere; but if we pass this amendment, the book-maker will be able to do business as before and be made as comfortable as possible on the race-track. What I want to get at is the legal aspect of the case, and I would like to compare the amendment offered by the hon. member for West Northumberland (Mr. McColl), and advocated by the Minister of Justice (Mr. Aylesworth), with the written opinion of the Minister of Justice as given on the 5th of February.

Mr. LANCASTER. As the hon. gentleman has mentioned my name, I think the committee should understand my position. I did not say, and I am not concerned in saying, whether we are injuring race-track men or not, I am not anxious to injure anybody by this legislation, and I do not think it was wise for the hon. gentleman to support the Bill by saying that it is handicapping race-track associations. What I did say was that if we confined betting to the race-tracks and absolutely prohibited it outside, we would make a great advance and limit the character and the amount of betting.

Mr. MILLER. I have no feeling against anybody, and no desire to injure any one. As I have said, I do not want to do anybody an injury, but I do not want to extend the privileges of race-track associations under the colour of advancement in the way of moral reform. The hon. the Minister of Justice advocates the amendment offered by the hon. member for West Northumberland (Mr. McColl), which would allow a meeting to last 8 days, but in the opinion which the hon. minister gave me on the 5th of February last he said, speaking on this point:

The Dominion parliament has no such jurisdiction, and the only way in which the Dominion parliament could deal with the subject is by undertaking to make it a crime to continue a race-track meeting for more than some given number of days.

That is what the amendment seeks to do. It seeks to make a crime on the ninth day what is perfectly legal on the other eight.

I do not question the power of the Dominion parliament to legislate in that manner, but it certainly would seem to me entirely illogical to do so.

Mr. LANCASTER. The hon. minister explained all that to-day.

Mr. MILLER. What I contend is that if it was entirely illogical to do that on the 5th of February, 1910, it is just as illogical to do it on the 7th of April. I submitted the language of this Bill to the Minister of Justice. I did so in perfect frankness, and no doubt his reply was equally frank. I said I wanted his opinion in order that I might use it, and it was with that understanding the opinion was obtained. When I submitted the Bill to my hon. friend, he said he did not think it was his duty, as Minister of Justice, to give his opinion on a public Bill submitted by a private member, but he said that the Bill had been drafted by three most able lawyers, that they had given a great deal of thought and time to its drafting, and that it was admirably drawn. I said to the hon. minister: Do you think any other language could be used which could better carry out the purpose of its promoters. He said he did not. Referring to section 227, he thought it possible that two men sitting on adjoining seat on the grand stand and making a bet, the one with the other, might be held under this Bill to have been keeping a betting place. I said: Do you not think the language would have to be very much strained indeed to come to that conclusion? He replied: Candidly I do think it would, but no one could tell to what extent a magistrate might strain the language of the statute. Speaking of section 235 he said there was absolutely nothing in it to interfere with private betting, although there was something in it which would prevent the recording or registering of a private bet. I have here an amendment which I propose to offer to section 227:

> The provisions of this section shall not extend to the case of a bet between individuals neither of whom is engaged in any way in book-making or in betting as a business.

If the hon. the Minister of Justice, or the majority of the committee, think that in order to protect the private bettor—whom I do not want to injure—some amendment should be attached to section 235, I am perfectly willing that the one I have just read should be. I want again to call the attention of the committee to this fact that if they carry the amendment offered by the hon. member for West Northumberland (Mr. McColl), they will be throwing the law wider open and give greater opportunity for the carrying on of professional gambling. If the condition is bad to-day, it would be a great deal worse under the amendment.

Mr. LANCASTER. On the race-track?

Mr. MILLER. Yes, it would increase the amount of betting on the race-track.

Mr. LANCASTER. Nowhere else?

Mr. MILLER. Again I appeal to my hon. friend from Lincoln (Mr. Lancaster), with whom I am sometimes able to agree, and who sometimes has a logical mind——

Mr. LANCASTER. I have lucid intervals.

Mr. MILLER. I am glad of that, because I think I will have his support.

Mr. LANCASTER. I think the hon. gentleman had better get a lucid interval too.

Mr. MILLER. **The hon. member** for Lincoln will not be able to give any satisfactory reply, just as every other opponent of the Bill, to this question. If it be right and proper to punish and prohibit professional gambling, by what logic can you determine it is quite right to do on a race-track what, by the Criminal Code of Canada, is a crime every place off the race-track? If a thing is a crime on this side of the fence, how can you make it innocent on the other side? I would like the hon. member for Lincoln to answer that.

Mr. LANCASTER. Candidly, we have been too long talking on this subject. I would ask my hon. friend which position is the most logical, what I said two or three times to-day about limiting gambling, or his own suggestion that every individual can bet all he has, and all his family has, and do it under the name of private betting? The race-track association controls it, and limits it, and makes it less objectionable than would be an unrestricted amount of private betting. He is throwing everything wide open.

Mr. McCOLL. One word in answer to my hon. friend. He asks why we should prohibit what he calls gambling off the track, and permit it on the race-track. Now, if my hon. friend had heard the proceedings before the special committee and the arguments made before the House, he would have known that the conditions on the race-track and the conditions off the race-track are entirely different. When men are betting off the race-track they see no racing, there is no sport connected with it, it is gambling pure and simple. But what takes place on the race-track is altogether different. In the first place, the parties who go there and who patronize it are a different class of people, they are not gamblers in any sense; they go there to enjoy the races, to enjoy the sport, and the betting that they do is only an incident of the sport. Whether that incident is right or wrong, it is something that has grown up in Great Britain for hundreds of years. As I said before, the men who patronize races in my own constituency never bet on hockey matches or anything else, never play cards for money, but they go there to enjoy the sport, and as an in-

cident they may bet two or three dollars on a race. That is no gambling at all, and that is all that is done by nine-tenths of the people who patronize a well conducted race-track such as the Woodbine or the other tracks referred to. Moreover, the betting that takes place on the race-track with the book-maker is done under regulations. The association regulates the book-maker, sees that everything is done fairly, and takes every means to protect the public, and that cannot in any sense of the word be called gambling.

One point further. You, Mr. Chairman, intimated this afternoon that the amendment before the chair, and which I offered last evening before the House adjourned, was not strictly in order. If that should turn out to be the case, then, before the motion is put, I would desire to move another amendment and put it in another form, clause by clause, which I suppose would be without doubt in order.

Mr. DEPUTY SPEAKER. The amendment moved by the hon. member was ruled out of order, there is, therefore, no amendment before the committee.

Mr. McCOLL. I understood, also, that you suggested this afternoon that, although it was, strictly speaking, out of order, the House had full jurisdiction over its own rules, and that if the House would like to vote upon my amendment, or the provisions of the substituted Bill, it would be at liberty to do so. If that is not out of order, I would like the feeling of the House upon it. I may say, further, that it would simplify matters and shorten proceedings a great deal if a vote could be taken in the way I have suggested. In the first place, this amendment was moved last evening before the House adjourned, and if it was out of order the question should have been raised then. It was not raised then, and we have proceeded to-day, speaking presumably upon the amendment that I had moved. If there is any technical objection to that, it might be waived and we might take a vote.

Mr. DEPUTY SPEAKER. The amendment moved by the hon. member was discussed at some length. I intimated to him some time before I did to the committee that I did not think it in order. Eventually, I stated that I did not think I could submit it to the committee. Having been ruled out of order, it was open to any hon. gentleman to question the ruling of the Chairman, but that was not done. The rule of the House I think is quite clear. The House itself can change its rules. I do not think that the Committee of the Whole House change those rules, although I would hesitate to place myself in opposition to the unanimous desire of the committee in its method of carrying on business. However, the proposed amendment was ruled out of order, and I do not see my way clear to take the vote the hon. member speaks of. Any amendment he desires to offer to section 1 will now be in order.

Mr. CYRIAS ROY (Montmagny). (Translation). Mr. Chairman, I move that you now leave the chair. I will indicate with a few words the reason of my motion. I will not be long and I hope that some of my hon. colleagues in this House, who have the privilege of speaking both languages, will be able to express better than I can do, the motives which we can appeal to, in favour of my question.

The Bill which we are discussing now provides some modifications to the criminal law. For my part, I think that in such a circumstance, when an hon. member moves for a change in the criminal law, he should prove that his resolution is not intended to create an offence or to be in contradiction with a law already in force. Now, without mentioning any of the provinces of confederation, I can declare positively that in some provinces, what this Bill really asks for punishment is not supposed to be an offence. There are some provinces where the facts which they want to punish as criminal ones are not even an offence. For this reason, I think it would be wise for the House to send back this Bill to the provincial legislature which would discuss, reject or pass it. I consider that the question now discussed is pertinent to the civil code of Canada. Now, there are provinces that have an exclusive jurisdiction that can alone decide on matters concerning civil code. Furthermore, some provinces have an exclusive jurisdiction to decide upon the rights which are pertinent to citizens to dispose of their estates, their money, and of all they own. I will insist no more. I hope we have in this House some representatives more competent than myself to make it understood by the majority that these reasons are sufficient to ask for the postponement of this Bill. I will content myself with these few remarks which I think are sufficient to justify you, Mr. Chairman, for leaving the Chair.

Mr. BELAND. (Translation). What is your proposition?

Mr. ROY. (Translation). That Mr. Chairman do now leave the Chair.

Mr. DEPUTY SPEAKER. As I understand, the hon. gentleman (Mr. Roy) moves that the Chairman do now leave the Chair.

Mr. McCOLL. In view of the ruling which you have made I will move that section 1 of the Bill be struck out. In tak-

ing the sense of the House on that question, we shall probably have an expression upon the whole of my amendment. We have had that fully discussed, and I think the House understands now why I am put in the position of having to take this course. Section 1 of the Bill now before us reads as follows:

1. Section 226 of the Criminal Code, chapter 146 of the Revised Statutes, 1906, is repealed and the following is substituted therefor:—

Thus, section 1 repeals section 226 of the Criminal Code, and substitutes another section. The effect of my motion to strike out this section No. 1 is to leave section 226 of the Criminal Code as it now stands. When we compare this section of the Criminal Code with the section as proposed in this Bill, we find that there is very little difference. That was fully explained this afternoon by the Minister of Justice. Section 226 as it now stands provides:

A common gambling house is—
(a) a house, room or place kept by any person for gain, to which persons resort for the purpose of playing at any game of chance or at any mixed game of chance and skill; or
(b) a house, room or place kept or used for playing therein at any game of chance or any mixed game of chance and skill, in which a bank is kept by one or more of the players——

and so on. About the only difference between the present section of the Criminal Code, and the section proposed by this Bill is the elimination of the expressions 'house,' and 'room,' leaving only the expression 'place.' The reason the promoters of the Bill have desired to have only 'place' in the section is to give it an extended definition making unnecessary the use of other expressions. The Bill I propose, defines 'street,' and the same thing is effected. So the two Bills are, in that respect, practically the same. Without further explanation I move to strike out section 1.

Mr. SINCLAIR. Section 1 I consider a very essential section of this Bill, in fact it is necessary to correct the present confused state of the law. It will be known to hon. members who have studied this question that the law on this point is at present in a very unsatisfactory state. The decisions of the court have been to the effect that one is liable to fine, and imprisonment if the book-maker does his betting at any particular place—if, for instance, he stands on a box or under an umbrella at the race-course; but, if he walks about the race-course, or even marks time, his betting is not an offence. This arises from the peculiar construction given by the courts to the word 'place.' It was pointed out to the committee in the investigation that in the butcher shops, barber shops, and other places in Toronto, it is a common practice to carry on this race-course betting as a side show to the regular business. It was also shown that when a man carrying on this practice wished to escape liability, under the law he stepped out on the sidewalk, and there made the bet with his customer. The butcher, so long as he remains in his shop and makes a bet, becomes liable to a fine, but if he stands on the sidewalk in carrying on this transaction he is not liable under the law. And, the book-maker on the race-course, while he moves about, or even while he marks time may make a bet that is not an offence, but, standing in one place, he is liable to prosecution. I am sure every hon. member of this House wishes to have that state of the law corrected. The section that my hon. friend from West Northumberland (Mr. McColl) wishes to strike out is an attempt, and, I think, a fairly good attempt, to define what a 'place' is and to correct that anomalous condition of the law. This does not deal with the main portion of the Bill which we reach later on, and which deals with the question whether betting by the book-maker should be allowed. I therefore trust that hon. members will look carefully into this question before voting. I can well see how hon. gentlemen who are opposed to doing away with the book-maker might vote against the motion of my hon. friend from West Northumberland to strike out this section.

Mr. LANCASTER. I think the hon. Minister of Justice fully answered all that has been said by the member for Guysborough (Mr. Sinclair), I understand him to say—and I quite agree with him—that the evil consists in what is done not in where it is done. As he pointed out, the first section as it stands means that persons sitting side by side are in a 'place,' and if they make a private bet they are liable to be sent to jail.

Mr. AYLESWORTH. Mr. Chairman, the difficulty I feel with regard to the situation, arises, perhaps, from the ruling which, I understand, you have made, that the amendment which was moved by the hon. member for West Northumberland (Mr. McColl is not in order. The difficulty in dealing with this section arises from the fact that the various sections of the English Bill which the hon. member for West Northumberland moved en bloc by way of amendment last night are so interwoven, so interdependent one upon the other that, unless you are to consider them all together, you are scarcely in a position to deal intelligently with the matter. The difficulty which my hon. friend from Guysborough has pointed out with regard to what he considers the anomalous condition of the law is, I venture to think, nothing of the sort The law was perfectly

clear, and distinct as it left this House in 1892. The House then, in terms, decided to except from the book-making prohibition if you please, to except from the betting clause of the Criminal Code, a number of things, among which were bets made on the race-course of an incorporated association during the actual progress of a race-meeting. But the wording of the exception limited the exception to that particular clause. The wording of the exception was and is:

The provisions of this section shall not extend to bets made on a race-track during a race-meeting.

Accordingly the law did not prevent a book-maker from making a book on a race-track during the progress of a race-meeting, but that condition of the law did not please the people who want to stop book-making, and accordingly they resorted to a prosecution of the book-maker under this other section for keeping a betting house, to which other section the exception did not, in terms, apply. They procured in that way a fine or conviction to be imposed upon some book-maker, notwithstanding that he had made his bets upon a race-track during a race-meeting, upon the theory that because he stood upon a box or under an umbrella, he was thereby keeping a common betting house. The section dealing with a gaming house is another section of similar character to the section that deals with a betting house, and the proposal now before the committee simply resolves itself into this form. Whereas the existing law, section 226, defines a common gaming house to be a house, room or place,' &c., the amending section which the committee has reported and recommended, proposes to change the phraseology from the words 'gaming house' to the words 'gaming place,' and instead of calling it a 'house, room or place kept by a person,' &c., it is now to be called a 'place used by a person,' so that it will not necessarily be an inclosure at all, but in the language of the definition, which, by the next section, it is proposed to apply to this section under consideration, the word 'place' is to include 'any place whether inclosed or not and whether it is used permanently or temporarily and whether there is or is not the exclusive right of user.' In voting upon this proposition, hon. gentlemen should understand that what they are doing is really taking that integral portion of the proposal submitted or reported by the committee with the idea of changing the existing law in order to make 'common gaming house' or 'common gaming place' something that is not inclosed, or stationary, or permanently or exclusively used, but something which is, as it were, just a step toward what I spoke of this afternoon, that is getting after the individual bettor if he makes a bet when he is sitting on his seat.

Mr. BURRELL. I am not anxious to detain the House, but I do not feel like giving a silent vote. I had not intended taking part in this discussion, but some incidents that occurred just before six o'clock impel me to give the reasons for the faith that is in me, a faith that has been seriously deepened by the remarks of the hon. Minister of Justice (Mr. Aylesworth). As far as the amendemnt proposed by the hon. member for West Northumberlan (Mr. McColl) is concerned, its adoption would practically mean the voting down of the Bill. His amendment must be regarded as a crucial matter, as the Minister of Justice explains that while the provisions of the old criminal law are for getting after the gambler or the criminal who breaks the law in every place except at a race-track meeting, the object of the amendment to the Criminal Code proposed to the Bill introduced by the hon. member for South Grey (Mr. Miller) means to go after the professional gambler wherever he is and, if possible, stamp him out of existence. That, as far as I understand it, is the general principle involved. I think we all thoroughly understand that we are loath to be beaten into virtue by legislative enactment. We do not believe that a legislative enactment can improve our moral standpoint or make men law-abiding citizens. It must also be understood that to a great many men, and myself amongst them, race-track gambling and betting have no particular temptation, and we must be all the more careful as we may have other forms of temptation not to

Compound for sins we are inclined to
By damning those we have no mind to.

We ought, at all events, to give fair play to the gentlemen who are in sympathy with the amendment proposed by the hon. member for West Northumberland. The strongest speeches I heard, in following this debate, against this proposed amendment to the law were made by the hon. member for Brandon (Mr. Sifton) and the hon. Minister of Justice. The hon. member for Brandon stated that his principal reasons—and we ought to give them all due weight, were these: First of all, that the matter had not been threshed out before the country. I might deal with that very briefly. I do not think that he can put that argument forward very seriously. As was pointed out, there never has been an amendment to the Criminal Code that has ever been threshed out before the country. I might retort to my hon. friend the member for Brandon that a great many matters that this government have incorporated into law have not been threshed out before the country, namely, the Autonomy Bill, the

Grand Trunk Pacific Railway Bill, the Naval Bill. The country never had an opportunity of saying a word in regard to these measures. He also introduced an argument with which I had more sympathy, and that was that the passage of laws with which a preponderating part of the public were not in active sympathy only tended to increase the general contempt for law. That argument has a great deal of weight. But the hon. member for Brandon pushed his argument to the farthest point, and he did admit that there were a great many evils—he numbered them as four, all of which meant betting and gambling in various forms, and he assented to the fact that these were evils that ought to be stamped out. But, I was rather astonished that he could not carry his argument to its logical conclusion and assent also to the necessity of stamping out the fifth, namely, that which is a legalization of gambling on the race-track. Let me deal with another phase of the amendment with regard to the first part of the Bill and with the important principle involved in the Bill. I feel that whether we gamble on races or do not we have to deal with these questions as citizens of a great country, and as men interested in progress along the best lines in every community, and we must admit that gambling and betting, carried on as they are in that form, are provocative of a great many evils leading directly to cheating, unfair play of various kinds, and even to worse and more nefarious practices.

I do not say they always lead to these evils, but I do say, and I think the House will agree, that wholesale and legalized gambling on race-tracks does not foster the best spirit of sport. That while those who love sport for sport's sake would do nothing unfair, men to whom the love of sport is entirely subordinate to the love of gain would take a more active part in connection with these races, and I say there is thus an influence at work leading to cheating, unfair play, pulling races, etc. Indirectly it leads to graver evils, such as embezzlement, forgery, debt, etc. I believe at all events, and this is my reason for voting, that gambling and betting in any way to a certain extent, but certainly in a large and professional way, is anti-social in its influence, that is, it does not tend to a healthy constructive progress in a community, but rather tends to its disintegration. The hon. the leader of the opposition (Mr. Borden) stated before six o'clock that he thought the government ought to accept some responsibility for a measure of this kind, and on this point he was replied to by the hon. the Minister of Finance (Mr. Fielding) and the right hon. gentleman who leads the House (Sir Wilfrid Laurier). I thoroughly agree that the government ought to assume such responsibility, and for the reason that it is not an ordinary measure, it is not an ordinary private Bill, but a Bill that involves an amendment to the Criminal Code of Canada, for which surely the government must have some responsibility. The right hon. gentleman who leads this House very airily washed his hands of any responsibility in regard to this measure. He has not told us, as I think he should have done, where he stood on this particular measure, how he viewed so important a thing as an amendment to the Criminal Code, which certainly directly concerns him. But what is the peculiar position in which the government stand? The right hon. gentleman and the Minister of Finance have said that this is a question of great gravity upon which the members of the government do not agree, and the Minister of Finance, therefore, said it would be more sensible to leave it to the judgment of the House. Certainly it would be more sensible as party tactics for the government to leave it to the House. I have always been told that the doctrine of cabinet solidarity is a very important one, one that should be taken seriously. They are throwing that to one side. What is the position if the Minister of Finance or the Prime Minister or other ministers of the Crown choose to vote for the proposed Bill? We are in this position that there is an amendment to the Criminal Code which has been denounced in the strongest and, I was going to say, in the most violent, but certainly in very strong language by the chief minister of the Crown dealing with the law, the Minister of Justice. He has poured ridicule on the Bill brought in by the member for South Grey (Mr. Miller) and he has added—and that is why I say it is the Bill, the whole Bill and nothing but the Bill—he has added that he was going to vote for an amendment which practically kills the Bill. The Minister of Justice laid stress on the fact that the gravest injury that could be done to the body politic in this whole matter was to bring in a contempt of law in general, because we were passing statutes that could not be lived up to. Let me ask the Minister of Justice what position will the country and parliament be in if members of the government like the First Minister and other ministers vote for this Bill and allow it to be carried, and it is carried in face of the fact that the Minister of Justice has condemned it as a piece of preposterous legislation which is a farce and absolutely wrong. Is that not bringing the whole law into contempt, if the chief minister of the law and the government allow a piece of legislation to go on the statute-book which they regard as farcial. I say it is bringing the law into contempt to a greater extent than anything the government have

done, and I believe that government ought to arrange a fair compromise if they can, or at all events take some steps to shoulder the responsibility of so important a measure as this.

Committee divided on amendment of Mr. McColl.

Amendment agreed to, yeas 78, nays 77.

On section 2—common betting place defined—

Mr. McCOLL. From the vote which has just been taken I would infer that the sense of the House is in favour of the amendment to the whole Bill, as I suggested last night. If that be the case, we might vote on the balance of the Bill, as I suggested. If not, I would have to take the same step as I did on the previous section, moving to strike it out, for the same reasons.

Mr. MILLER. If I cannot make the provisions of the Bill any better, I do not want to make them any worse, and I object to the amendment of the hon. member for West Northumberland. If that is not in order, I would like to move an amendment to section 2, by changing the definition of the word 'place' in subsection 2, by striking out the words: 'whether it is or is not a fixed place,' and substituting the words 'whether it is used permanently or temporarily.'

Mr. W. F. MACLEAN. Must we not take up first the amendment of the hon. member for West Northumberland?

Mr. DEPUTY SPEAKER. I did not understand that the hon. member for West Northumberland made a motion.

Mr. McCOLL. I made the suggestion, and would like to hear the expression of the House upon it, that we vote on the whole Bill, as I first suggested. If that is not in order, I will have to move to strike out this section.

Mr. DEPUTY SPEAKER. I do not feel any more at liberty to allow the original amendment of the hon. member for West Northumberland than I did on the previous section.

Mr. McCOLL. Then I move to strike out this section for the same reasons and on the same grounds as I did section 1.

Mr. CONGDON. I desire to state why I am opposed to this section, as I am to several sections of this Bill. The law in this country relating to common gaming houses, common betting houses, and the other matters mentioned in these sections, has stood long, is in thorough accord with the traditions of English law, and has been well settled by innumerable judicial decisions. I doubt if there are any sections of the Criminal Code as to which there have been more litigation and more illuminating decisions than the sections relating to gambling; and the reason for the present attempt to wipe out those sections is that they do not cover cases which they were never intended to cover. That would be giving them a fantastic meaning. It is proposed to amend sections which are generally settled, wisely settled, usefully settled, as they stand, in order to make them cover what they were never intended to cover. If you amend them in this way, you will throw into confusion that portion of the law which is already well settled. If an amendment were introduced dealing expressly with the race-track, and dealing with it in a reasonable way, I for one would support it; but to amend the whole law on this subject merely to cover that one case, and to convert 'a common gaming house' or 'a common betting house' into 'a common betting place,' terms which are not known to the law, and which we do not understand, and to give this phrase a strained and extensive meaning, is not in my opinion called for by the state of the law on the subject, and is not in the interest of the proper restriction of gambling. It is the universal opinion of those who have studied the subject that there is great danger in gambling, and that there is wisdom is the restriction imposed by the British law which deals with gaming houses and betting houses when they become public nuisances. The British law on this as on other subjects does not deal so much with their moral aspects as with the duties and rights of men towards their fellowmen; it does not deal with this matter as a moral question, but as a question affecting the public and individual. For the reasons I have given, I intend to vote against all these amendments which propose in an uncertain and unsafe way to amend provisions of the law which are now well established and most useful in their operation.

Mr. OWEN. I beg to move that the rules of this committee be amended, so that instead of taking a standing vote, we call for the yeas and nays.

Mr. DEPUTY SPEAKER. That motion cannot be received. The question is on Mr. McColl's amendment and Mr. Miller's amendment to the amendment.

Mr. SPROULE. I did not understand that the amendments came in that order. I understand that the hon. member for South Grey proposed to amend the section of his own Bill, and that the hon. member for West Northumberland moved an amendment to the amendment.

Mr. DEPUTY SPEAKER. I was not certain in my own mind whether the hon. member for West Northumberland moved an amendment when he first rose. I asked

the question, and I understand that he claims that he did.

Mr. SPROULE. That was not my understanding. He first desired to know whether the vote could be taken on the balance of the Bill. On your intimating that it could not, he moved his amendment. But before that the hon. member for South Grey had moved an amendment to his Bill.

Mr. LANCASTER. I want to point out to this committee what this section means. 'The word place as used in this section, and the preceding section includes any place, whether inclosed or not'. That is very fine legislation for us to pass; it means anywhere in this world. A man is going to be fined for betting anywhere. As one gentleman has said, it is fantastic legislation.

Mr. R. L. BORDEN. The words 'permanently or temporarily' are in the Bill now, and the words which the hon. member for South Grey proposes to strike out are not in it at all.

Mr. MILLER. The Bill which the hon. leader of the opposition has before him is the reprinted Bill as suggested by the committee, but that is not the Bill before the House, and I want by my amendment to make the Bill conform to the reprinted Bill, as suggested in the report. I want to make my amendment to conform to the new reprint of the Bill, which the committee suggested in their report.

Mr. R. L. BORDEN. Are we considering the Bill as reported by the committee?

Mr. MILLER. As it was introduced into the House.

Some hon. MEMBERS. Not at all.

Mr. DEPUTY SPEAKER. It is the Bill reported as amended by the special committee. If the hon. gentleman intends his amendment to be to that Bill, it will be necessary to write it out.

Mr. MILLER. Then if we are considering the Bill as reported——

An hon. MEMBER. Do you not know what we are considering?

Mr. MILLER. As a matter of procedure, I did not understand whether we were considering the Bill as originally before the House, or the one recommended by the committee. Then I would propose this amendment:

To add the following subsection 3 to section 2: The provisions of this section shall not extend to the case of a bet between individuals, neither of whom is engaged in any way in book-making or in betting as a business.

Mr. GERMAN. It is quite useless to put the amendment to the amendment. If the amendment of the hon. member for West Northumberland (Mr. McColl) carries, that does away with the section altogether. Let us vote on the amendment as moved by that hon. gentleman. If that carries, the amendment to the amendment is of no avail.

Committee divided on the amendment of the hon. member for South Grey (Mr. Miller) to the amendment of the hon. member for West Northumberland (Mr. McColl).

Amendment to the amendment negatived. Yeas, 74; nays, 87.

Committee divided on the amendment of the hon. member for West Northumberland (Mr. McColl) that section 2 be struck out.

Amendment agreed to. Yeas, 85; nays, 73.

On section 3,

3. Section 228 of the said code is repealed and the following is substituted therefor:—

228. Every one is guilty of an indictable offence and liable to one year's imprisonment who keeps any disorderly house, or other disorderly place, that is to say, any common bawdy-house, common gaming-place, or common betting-place, or opium joint, as hereinbefore defined.

2. Any one who appears, acts or behaves as master or mistress, or as the person having the care, government or management of any disorderly house, or other disorderly place, shall be deemed to be the keeper thereof, and shall be liable to be prosecuted and punished as such, although in fact he or she is not the real owner or keeper thereof.

Mr. McCOLL. Mr. Chairman, the amendments I find necessary to move are before you as moved last night. I think, in view of what has taken place, and of the votes that we have taken, it is clear that the sense of the House is in favour of my amendment which, as has been explained, differs from the Bill in that it follows the English legislation drafted by Lord Davey, one of the best lawyers in England, while the Bill is what is termed American or Yankee legislation. I move that this section 3 be struck out, and the remainder of the Bill proposed by me be voted upon in one motion.

Mr. DEPUTY SPEAKER. I cannot even at this stage accede to the manner in which the hon. member desires to proceed. It may be open, at a later stage for the House to take some steps to refer to a special committee——

Mr. W. F. MACLEAN. It is in order for the hon. member to substitute his amendment for this clause. Let him move it.

Mr. McCOLL. I move that section 3 of the Bill he struck out, and that section 228 of the Code be made to read as follows:

228. Every one is guilty of an indictable offence and liable to one year's imprisonment

who keeps any disorderly house, that is to say, any common bawdy-house, common gaming-house, or common betting-house, or opium joint, as hereintofore defined.

2. Any one who appears, acts or behaves as master or mistress, or as the person having the care, government, or management of any disorderly house, shall be deemed to be the keeper thereof, and shall be liable to be prosecuted and punished as such, although in fact he or she is not the real owner or keeper thereof.

Mr. W. F. MACLEAN. Should not the amendment 228a go also?

Mr. McCOLL. Then, I will add also the following:

228a 1. Every one is guilty of an offence who frequents or loiters in streets or public places, on behalf either of himself or of any other person, for the purpose of book-making or betting, or wagering, or agreeing to bet or wager, or paying or receiving or settling bets, and shall——

In the amendment as I gave notice of it these penalties 'are blank,' but I have asked leave to fill in the blanks so as to make the remainder of the amendment read:

(a) In the case of a first offence be liable on conviction to a fine not exceeding $50;

(b) In the case of a second offence be liable on conviction to a fine not exceeding $100; and

(c) In the case of a third or subsequent offence, or in any case where it is proved that the person whilst committing the offence had any betting transaction with a person under the age of sixteen years, be liable on conviction to a fine not exceeding $250, or to imprisonment, with or without hard labour, for a term not exceeding six months, without the option of a fine;

and shall in any case be liable to forfeit all books, cards, papers and other articles relating to betting which may be found in his possession.

2. Any constable may take into custody, without warrant, any person found committing an offence under this section, and may seize and detain any article liable to be forfeited under this Act.

3. Any person who appears to the court to be under the age of sixteen years, shall, for the purpose of this section, be deemed to be under that age, unless the contrary be proved, or unless the person charged shall satisfy the court that he had reasonable ground for believing otherwise.

4. For the purpose of this section the word 'street' shall include any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not: and the words 'public place' shall include public park, garden, or seabeach, and any uninclosed ground to which the public for the time being have restricted access, and shall also include every inclosed place (not being a public park or garden) to which the public have a restricted right of access, whether on payment or otherwise, if at or near every public entrance there is conspicuously exhibited by the owners or persons having control of the place a notice prohibiting betting therein.

Mr. McCOLL.

I may say that section 228a follows expressly Lord Davey's Act which has already been explained.

Mr. DEPUTY SPEAKER. Do I understand the motion to be that section 3 of the Bill be struck out, and that 228a be added to the existing——

Mr. McCOLL. No, but that section 3 is struck out, and that what I have read as 228 and 228a be substituted therefor.

Mr. SINCLAIR. I desire to have an explanation of the meaning of the clause, 4, of 228a. It defines the words 'public place' and includes certain inclosed places, 'if at or near every public entrance there is conspicuously exhibited by the owners or persons having control of the place a notice prohibiting betting therein.' I would like to have the hon. member's (Mr. McColl) views as to what that last section means. It appears to me to leave it within the control of the owner of the park, by declining to put up the notice referred to, to permit betting to be legally carried on in the place.

Mr. McCOLL. As I understand it, that is to protect a park of this kind, for instance, we have in my own town an association known as the Horse Show Association. That association has purchased a park in which to hold its annual shows. But that park may be used at times for other purposes. This is, if I may use the expression, a semi-private property which is sometimes used for public purposes. I understand that under the law, that would not be anything, but a public place in the strict sense, and we can keep it in a private character by putting up a notice that betting is not to be permitted. That would protect the owners of the park against any intrusion, and reduce betting to that extent.

Mr. MILLER. I see that my hon. friend from West Northumberland and the hon. member for Lincoln are very anxious to pass this amendment in the interests of the racing associations and the professional gamblers.

Some hon. MEMBERS. Order.

Mr. MILLER. That is the way it appears to me, and I do not think that is what the committee desires. I do not think that this committee having adopted the Bill that was introduced, desires to add insult to injury and to make matters much worse than they are to-day, therefore, I move that the committee rise.

Mr. LANCASTER. I do not think the hon. gentleman is sincere in this matter. He brings in a Bill nominally for the benefit of the morals of the country, and because he cannot get exactly what he desires, he wants to throw the whole thing up. He objects to making a sensible law

in this country for the protection of morals, of which he claims to be the guardian. I am not as insincere as the hon. gentleman, I am not here fooling with this matter. As I have said, I am prepared to assist in every way to make a good law. But because this hon. gentleman cannot have his way in every particular, because he cannot go to the extreme point, even against the opinion of the Minister of Justice, he wants the committee to rise without making any restriction of this very gambling that he pretends to wish to abolish.

Mr. HENDERSON. I understand that the hon. member for South Grey has moved that the committee rise. I presume that his intention is to kill the Bill. Now, I want to tell the hon. gentleman that I am not going to help him to kill the Bill. I do not think at this stage that the Bill should be abandoned to its fate, and I protest against the motion.

Mr. TURRIFF. I think the remarks made by the hon. member for Lincoln are somewhat unfair to my hon. friend for South Grey. My hon. friend from South Grey thinks honestly that the Bill as proposed to be amended, or the Bill of the hon. member for West Northumberland, is more in the interest of the book-maker and the professional gambler than the law we have now on the statute-book. That being the case, it seems to me it is perfectly proper for the hon. member for South Grey, and he is not subject to unfair criticism, when he suggests that the committee rise, which will have the effect of doing away with the proposed legislation altogether, and leaving on the statute-book the legislation that has now been in force for some years.

Mr. MILLER. I am not particular about the language used, I am not accusing anybody. I said that I think the amendment proposed would make things worse than they are to-day, and I will give you one more reason why I think so. The amendment proposed by the hon. member for West Northumberland expressly exempts betting between individuals, that is exactly the language used, betting between individuals is permitted. I submitted that language to the Minister of Justice for his opinion, and he said that the book-maker is an individual, and that if that language were used in the Bill, and if a book-maker proceeded against under the Bill were to go to a lawyer to defend him, the first thing the lawyer would rest his case upon would be to point out to the book-maker that he is an individual and, therefore, exempt under the law, using the same words that are used by the member for West Northumberalnd. That, then, would appear to offer a wide open door, and to protect the book-maker in everything he desires to do.

Mr. FIELDING. I would suggest to my hon. friend for South Grey that if his motion passes, it will kill the Bill for the present session; whereas if he simply moves that the committee rise, report progress and ask leave to sit again, he will leave an opportunity of reaching an agreement. My suggestion is that if there be any possibility of an agreement, by leaving the matter open an agreement may be reached; whereas if we simply rise, that puts an end to the Bill. I am assuming that the hon. gentleman who may not agree with the member for South Grey are still desirous of introducing, as they suggest, some amendments. I do not think we could hope to-night, in the confusion of the various sections and the various amendments, to reach an intelligent judgment in the way of improving the law. But if the matter be left open, hon. gentlemen will have an opportunity of framing their amendments, and there may still be a chance. Therefore, I do not intend to vote with the hon. member for South Grey that the committee rise; but if he would move that the committee rise, report progress and ask leave to sit again, I would vote with him.

Mr. MILLER. I will adopt the suggestion of the Finance Minister, and I move that the committee rise, report progress and ask leave to sit again.

Mr. LANCASTER. We have been held so strictly to the rules of order about amendments, that I think I will have to be technical also. The hon. gentleman has not my consent to withdraw his motion, if that amounts to anything. I do not think the hon. gentleman should play that sort of game to this House.

Mr. STRATTON. Then I will move that the committee rise, report progress, and ask leave to sit again.

Mr. DEPUTY SPEAKER. The hon. gentleman (Mr. Stratton) cannot duplicate a motion that has already been moved. I am inclined to think that the hon. member for South Grey can withdraw his motion without the consent of the committee, although I would be willing to hear the opinions of experienced members on that point. The motion before the Chair is that the committee rise; the amendment to the hon. member for South Grey is that the committee rise, report progress and ask leave to sit again.

Some hon. MEMBERS. That is the motion.

Sir WILFRID LAURIER. If it is out of order we will put it in order. I would move that the committee rise, report progress, and ask leave to sit again. We have been two days on this Bill, and it has been amended in a way that was not anticipated by my hon. friend from South

Grey, who thinks that the sense of the House is not with him. There is a good deal of excitement on both sides of the House. My hon. friend does not abandon his measure, but simply asks the committee to rise. I am quite sure that it is more in accordance with the traditions of the House that we should adopt the suggestion of my hon. friend that the committee rise, report progress, and ask leave to sit again. The matter can be discussed. I do not know that very much progress can be made during the present session, but let us not, upon a matter of this importance, give way to excitement. Let us proceed in a regular way and accept the suggestion that the committee rise, report progress, and ask leave to sit again.

Mr. NORTHRUP. May makes it perfectly clear as to the rights of an hon. gentleman to withdraw his motion. The last edition of May, page 280, says that:

> The member who has proposed a motion, can only withdraw it by leave of the House, granted without any negative voice.

Mr. DEPUTY SPEAKER. In view of what May says upon the subject the hon. member for Grey may not withdraw his motion that the committee rise.

Sir WILFRID LAURIER. I move in amendment to add the words, 'report progress, and ask leave to sit again.'

Mr. DEPUTY SPEAKER. Under the circumstances, I am informed that that amendment cannot be moved. There may be no amendment moved to the motion that the committee rise.

Motion negatived.

Sir WILFRID LAURIER. Then I move that the committee rise, report progress, and ask leave to sit again.

Mr. LANCASTER. I think we ought to do something with this Bill. We have spent two days upon this serious question of gambling. Let me appeal to the committee as well as to the Prime Minister that we do not waste these two days, and, while the matter is fresh in our minds, put a proper Bill on the statute-books of this country. Let us pass a Bill as suggested by the Minister of Justice which seems to be in accordance with the opinion of the majority of the House. Why should we have wasted these two days when we are here in the interest of the country to suppress this gambling evil? Why does not the hon. member for South Grey (Mr. Miller) join with the majority of the House in making the best Bill he can under the circumstances? What respect can the people of this country have for us who have spent two days upon this question, now wasted, in the opinion of the Prime Minister, and have done nothing to put this Bill in proper shape? We can do it in twenty minutes or fifteen minutes if we concentrate our minds upon it. The contention is all over, the main points of the Bill have been settled. They have been settled against the hon. member from Grey, but they have been settled, in the opinion of this House, in the interest of the country. Let us put them into shape and let up pass this Act. Do not let the country say that we are a lot of children, and farcical children at that, spending two whole days and doing nothing.

Mr. GERMAN. This motion will no doubt carry, and the carrying of it will very likely result in no further action being taken on this Bill during this session. It will leave the race-tracks, the race-track owners and the race-meetings exactly in the position they have stood in hitherto. But the great question to my mind in reference to the whole proceedings is to limit the number of days on which race-meetings should be held. The amendments which have been made to the Act are really infinitesimal in their effect. The so-called Miller Bill is no more effective than the law as it stands now. What I was anxious for, and what I believe the majority of the members of this committee and this parliament are anxious for, is to have it definitely and finally settled as to how many days each year races should be held on the various race-tracks. I believe the consensus of opinion of the whole people, at any rate of Ontario, is that two meetings of twelve days each during the year are quite enough, that races should not be conducted longer than that, and I think it will be well, as this question will not come up again very likely this session, that we should tell the race-track owners and operators to take notice that unless they shorten the terms of their meetings very likely this matter will come up again next session, and be dealt with in a way that will not be to their satisfaction. I think that if section 235, as it is in the Miller Bill, had been reached it should have restricted the number of days racing and fixed definitely and finally that question for all time to come. That is the principal object of the Bill, and I think that if those people who are engaged in this legitimate sport—and it is a sport that I would like to see continued, but kept under reasonable restrictions—should take notice that long race-meetings will not be tolerated in Canada.

Mr. W. F. MACLEAN. Did I understand the Prime Minister to say that this would be the last of this Bill this session?

Some hon. MEMBERS. No.

Mr. W. F. MACLEAN. I thought I understood him to say so. I am asking for information.

An hon. MEMBER. It may, or it may not be.

Mr. McCOLL. I think that in view of all that has taken place it would be best possibly to accept this motion. Of course, the motion that the committee rise would absolutely kill the Bill for the present session. The motion before the Chair might result in still giving proper legislation before the end of the session. I think that the promoters of the Bill, in view of what has taken place to-night, must be convinced that the sense of the House is not in their favour.

Mr. TALBOT. What about the men outside?

Mr. McCOLL. They will be willing to concede that, and after having had time to consider the amendments that I have suggested to the Bill, if all parties consented, the Bill still could come up during this session without wasting any considerable time.

Mr. LANCASTER. We would not be doing our duty to the people if we did not pass this amendment to-night. We are all of the opinion that it should pass. Why should we postpone this discussion any longer? We have spent two days in this House working strenuously in the effort to get this gambling evil restricted in this country. I pay the hon. gentleman the compliment of saying that he has perfectly drawn the section. It goes a great deal farther than the section he is striking out of the Miller Bill towards restricting gambling. The Miller section does not restrict it, or does not go within six times as far as the other section. My hon. friend's amendment has all the restrictions that the Miller Bill has and more besides, and I do not understand why the hon. member for South Grey, who professes a desire to suppress gambling, does not stand up and say that he will accept the substituted section for the restriction of gambling which is ten times more effective than the one which is struck out. I would say to the hon. member for West Northumberland (Mr. McColl) that I think he ought not to waste his time as he has done for the last two days, and I do not think he should have wasted the time of the hon. members of this House, because we have important business on the order paper. This is an important item, and we have wasted two days upon it unless we put this Bill into concrete form. The Minister of Justice is here, every other member of the government who has taken any interest in the matter is here, we have the brighest minds in the House here to-night, or most of them, and I think we ought to give the benefit of the two days' work that we have done, and put through this new legislation to restrict the gambling evil in this country. I say again that the section that the hon. member for West Northumberland read—and this will reach the hon. member for East Northumberland too, because he is in favour of restricting the gambling evil as much as the hon. member for West Northumberland restricts gambling to the extent of the whole of section 228a which is not in the Miller Bill as reported to the House, and we have made for the benefit, willingly it is true, but for the benefit of the member for South Grey, the very law he has been urging all session and I think we ought to do it before we rise to-night, and get rid of this matter.

Mr. R. L. BORDEN. Will any further time of the House be devoted to this Bill?

Sir WILFRID LAURIER. I think we want to come to prorogation, and we have done very well by this Bill. If the two sides were to come to an agreement, I think every one ought to be anxious to facilitate business, but unless this is done I do not think the promoter of the Bill would ask us to devote more time to it.

Motion agreed to, and progress reported.

NATIONAL BATTLEFIELDS OF QUEBEC.

Bill (No. 188) to amend the Act respecting the National Battlefields of Quebec, Mr. Aylesworth, read the second time and House went into committee thereon.

On section 1—expropriation.

Mr. R. L. BORDEN. What changes are effected by this amendment?

Mr. AYLESWORTH. The whole scope of the amendment is to substitute proceedings under the Expropriation Act for proceedings under the Railway Act. This is a change which the chairman of the commission, as I understand with the concurrence of his fellow members of the commission, thinks is of very considerable importance. He came to Ottawa accompanied by the solicitor for the commission to discuss this proposal, along with some other changes which, after discussion, did not seem to be of so much importance and which have therefore not been proposed. Under the existing Act if the commission are not able to agree with any owner as to the price to be paid, the proceedings by which they expropriate have to follow the detailed procedure of the Railway Act, the filing of a plan, I suppose with the Minister of Railways, and the statement of the surveyor, and all the steps which would require to be taken in the case of expropriating land if it were required for a railway. The amend-

ment, as hon. gentlemen will see, relieves the commission of these preliminary steps and requires the proceedings to fix the price for the land which has been taken against the owners will to be had in the Exchequer Court instead of before a Board of Arbitrators to be selected in accordance with the provisions of the Railway Act. The steps that are to be taken are marked out in detail in the original statute and are not interfered with. There must be first an estimate of the probable amount which the property will cost provided by the commission and submitted to this House. The approval of this House must first be had to the proposed transaction. Once that approval is secured, the proceedings will continue, either by agreement or by expropriation.

Mr. SPROULE. When this Bill was being considered before, I put a question which I repeat now, because the answer I got then, if I understood it correctly, was not satisfactory; that is, in the event of the commission requiring what is known as the Ross rifle property, which is under lease, but which belongs to the Crown, would it be expropriated, or by what means would it be taken over?

Mr. AYLESWORTH. I can only say that I gave to the hon. gentleman the only answer I can possibly make to the question. The commission has no power to touch that or any other piece of property without the authority of parliament. If the commission propose to take it, and parliament assents and authorizes taking it, it could either be purchased by agreement or expropriated like any other piece of property.

Mr. SPROULE. Does it seem reasonable that you could expropriate to the benefit of the Crown, property already vested in the Crown, and only under lease?

Mr. AYLESWORTH. In such a case expropriation proceedings would not be necessary. If the commission desired not to acquire this property and obtained the authority of parliament to take it, and if it is already Crown property, nothing more would be requisite than the necessary transfer.

Mr. R. L. BORDEN. It would be necessary to expropriate the lease hold interest.

Mr. AYLESWORTH. Of course, the interest of the tenant or lessee would have to be expropriated if the parties interested could not agree upon the value.

Mr. R. L. BORDEN. What property has been acquired by the commission, and what property is it proposed to acquire?

Mr. AYLESWORTH. As far as I am able to answer that question, none has yet been acquired.

Sir WILFRID LAURIER. No property, so far as I know, has been acquired, but I think I am correct in saying that the intention of the commissioners is to acquire property along what is known as the Belvidere road, which connects the Plains of Abraham with the St. Foy road, and some property along the St. Foy road.

Mr. R. L. BORDEN. As I understand the Minister of Justice, any property other than that described in the Act of 1908, which it is proposed to acquire, must be acquired by application to parliament, and by an amendment to the Act already passed.

Sir WILFRID LAURIER. Yes.

Mr. R. L. BORDEN. What funds are available to the commisison for purposes of expropriation?

Sir WILFRID LAURIER. The commission have now in their hands $300,000, if I am correctly informed.

Bill reported, read the third time and passed.

CLAIMS AGAINST GOVERNMENT RAILWAYS.

Bill (No. 151) to provide for the adjudication of small claims arising in respect of the operation of the government railways. read the second time, and House went into committee thereon.

On section 1,

Mr. MEIGHEN. While this section is under discussion, possibly the committee, and the Minister of Railways will permit me to refer to Bill (No. 55) relative to claims against railways, and which I had the honour to introduce in the House, and which was referred at the suggestion of the Minister of Railways to the Railway Committee, and by it to a subcommittee. I had an apprehension at the time of the reference that the effect would be to put the Bill at such a place on the order paper as would render it impossible to have it considered this session, and I would like to ask the Minister of Railways whether or not he will facilitate the enactment of a law as proposed in my Bill, and as recommended by the subcommittee, by including it in his general amendment to the Railway Act.

Mr. GRAHAM. There are several Bills in the same position as that of my hon. friend. When I suggested referring them to the Railway Committee, it was for the sole purpose that all parties interested might be heard. I might say to my hon. friend that in a case of that kind, unless I have some particular reason for not doing so, I certainly intend, with the consent of the House, to make it a part of my Bill. I think the Railway Committee approved of

the subcommittee's report, and I am going to ask the consent of the House that that Bill, also one of the hon. member for Lincoln, and perhaps one or two others, be included as amendments to my Bill when it comes up.

On section 7,

Mr. LANCASTER. I do not understand how a counter-claim could be very well raised by the Crown in an action of this kind which would be admissible to set off against the claim. If the Crown had a claim against any one, it would not wait until he took out suit against it and then make a counter-claim.

Mr. GRAHAM. Sometimes there are claims against individuals which we cannot collect. But if it should happen that any one of them has a claim against the government, we can have ours set off as a counter-claim.

Mr. LANCASTER. You transfer it to the Exchequer Court?

Mr. GRAHAM. If our claim is larger, we cannot very well go on with the case in the smaller court.

Bill reported, read the third time, and passed.

HARBOUR COMMISSIONERS OF MONTREAL.

House in committee on Bill (No. 191) to provide for further advances to the Harbour Commissioners of Montreal.—Mr. Fielding.

Mr. FIELDING. When this matter was last before the committee, we went through the Bill and practically disposed of it, but the hon. member for South Lanark (Mr. J. Haggart) requested that, before finally disposing of it, I should place on the table the scheme which the Montreal Harbour Commission were known to have in connection with their improvements. In consequence of that request I have brought a plan which I will lay on the table. The hon. member (Mr. J. Haggart) is not present, but he will have an opportunity to consult this plan later on. I may explain that this plan has not been approved by the Governor in Council. It is more comprehensive and includes more than we propose, but it indicates the scheme the commission have in mind. Though the hon. member for South Lanark is not present, I will lay the plan on the table. So far as I know this is the only information that is desired.

Bill reported, read the third time, and passed.

POST OFFICE ACT AMENDMENT.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to amend the Civil Service Act, chapter 16 of the Revised Statutes, 1906, by providing for the payment of salaries as follows:—

To post office inspectors on appointment, $2,500, with an annual increase of $100 to a maximum of $3,500.

To assistant post office inspectors and superintendents of the railway mail service on appointment, $1,600, with an annual increase of $100 to a maximum of $2,500.

To authorize the increase to the minimum of the salary of any such officers whose salary is at present less than the minimum.

To assistant postmasters, on appointment, a salary of not less than $1,100 and not more than $2,800.—Mr. Lemieux.

Mr. LEMIEUX. It is proposed to raise the salaries of the post office inspectors, the assistant post office inspectors, the superintendents of railway mail clerks and certain assistant postmasters. The salaries of these officers are fixed by the Civil Service Act relating to the outside service. It has been found that this class of employees are those upon whose efficiency and industry we must chiefly rely for good administration of the department. The post office inspectors are the very marrow of the whole service. Under the Post Office Act it is their duty to:

(a) Superintend the performance of the mail service, take good care that, as far as the state of the roads and other circumstances permit, the stipulations of all contracts for the conveyance of the mail are strictly complied with by the contractor.

(b) Instruct new postmasters in their duty.

(c) Keep the postmasters to their duty in rendering their accounts and paying over their balances.

And so on and so on. They are, as I say, the officers on whose efficiency the whole postal service and the administration of the department depends. Their salaries have not been revised, practically, since confederation. They are at the head of the service, and I think we should give them, this year, now that times are more prosperous, some little lift. Last year, with the concurrence of the House, I gave increases to the lower grades of the service, the stampers, sorters and labourers, and this year I thought the time had come when the post office inspectors, who render such efficient service, the assistant post office inspectors, the superintendents of the railway mail service and the assistant postmasters in the large cities, should be receive an increase. The amount involved is not very large. There are 16 inspectors, who will receive under this Bill increases amounting to $3,300. There are 18 assistant inspectors whose increases or salary will affect our revenue to the extent of $7,850. There are 8 superintendents of the railway mail service who will receive an

aggregate increase of $750. And there are 7 assistant postmasters who will receive increases amounting to $3,000. In all, the amount involved under the present resolution is $10,800. If the House desires further explanation I shall be ready to give it.

For the sake of clearness this resolution will be included with one to be moved by my hon. friend the Minister of Inland Revenue (Mr. Templeman) and made part of a Bill affecting the Civil Service, which is to be presented in a day or two by the Minister of Agriculture (Mr. Fisher). So I would ask that this resolution pass and that it should stand over for further consideration until it be incorporated in the Bill to which I have referred.

Mr. R. L. BORDEN. The post office inspectors have not had a readjustment of their salaries for a long time?

Mr. LEMIEUX. Since 1874.

Mr. R. L. BORDEN. They have very important duties to perform, and, so far as I am concerned, I quite approve of these proposals.

Resolution reported, read the second time, and agreed to.

INDUSTRIAL DISPUTES INVESTIGATION ACT AMENDMENT.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to amend the Industrial Disputes Investigation Act, 1907, by providing for the payment to the chairman and members of a Board of Conciliation and Investigation, of an allowance at the rate of twenty dollars for each day's sitting of the board and for each day necessarily engaged in travelling from or to their places of residence to attend or after attending a meeting of the board.—Mr. King.

Mr. KING. This resolution is necessary in consequence of one amendment it is proposed to make to the Industrial Disputes Investigation Act. At the present time, the chairman of a board of conciliation receives $20 a day and the other members of the board $15 a day. It has appeared that this rate of remuneration is hardly adequate for the services rendered, having regard to the payments made in arbitrations of much less important subjects than those under the Industrial Disputes Investigation Act, and it is suggested to change the rates of remuneration to allow all the members of the board the same rate, viz., $20 a day. It is true that the chairman has some special duties to perform, but it has also been shown in practice that the other members of the board representing the two parties have also special services in the way of endeavouring to effect a conciliation, which services are performed at times other than those during which the board is sitting, and for which they receive no remuneration whatever. It is thought that by allowing all the members of the board $20 per day the services of the members in this particular will be compensated.

Mr. LANCASTER. Is there any difference in the qualification required from the chairman and from the other members of the board?

Mr. KING. The members of the board are chosen in the first instance by the parties themselves, each side is given an opportunity of naming a representative.

Mr. LANCASTER. They have not to have any special qualification—

Mr. KING. It is left to the parties themselves to say who shall represent them. As a matter of fact, the representatives that have been chosen in the past have been almost without exception men of exceptional ability.

Mr. LANCASTER. What was the reason in the first place for making a difference in the stipend between the one as compared with the other two?

Mr. KING. It was thought before we had any experience under the Act that probably the duties of the chairman would be more onerous than those of the other members of the board. But it has turned out that while the chairman has some duties that are not performed by the other members, the individual members have a great deal of work after hours conferring with the parties whom they represent with a view to bringing the two sides together, and their time is taken up in a manner in which the chairman's time is not.

Mr. BLAIN. What has been the expenditure for the enforcement of this Act during the past year?

Mr. KING. The first year $16,000 was required, the second year $20,000, and this year the expenditure will amount to $20,000, possibly a little more.

Mr. BLAIN. Has the hon. gentleman before him the number of disputes that have been settled in each of the years mentioned?

Mr. KING. The Act has now been on the statute-book for over three years. During that time there have been applications for 82 boards. In 76 cases out of the 82 settlements have been effected and strikes or lockouts averted, and in only 6 cases have the boards failed to bring about a settlement between the parties, or their findings not been accepted by one side or the other.

Mr. BLAIN. Is the number of applications on the increase?

Mr. KING. During the fiscal year ended March 31 of the present year, there were 30 applications for boards.

Mr. BLAIN. How many in 1906?

Mr. KING. From March 22, 1907, to March 31, 1908, there were 35 applications; in the next year there were 20, and last year 30. There have been 5 less during the last fiscal year than during the first year of the Act, and 10 more than during the second year.

Mr. BICKERDIKE. I would suggest that there should be a little difference in the compensation of the ordinary member on the board and the chairman. I think that when you take a judge off the bench to act as third man, you can hardly expect him to work for less than $25 a day.

Mr. KING. With regard to the judges, they already receive pay for their services under the regular allowance granted by parliament, and I think in their case at least there is no special reason for giving them any extra allowance. As to other persons who act in the position of chairman, I would say that the department has found no difficulty during the past in obtaining suitable persons at that remuneration.

Resolutions reported, read the second time, and agreed to.

Mr. KING moved for leave to introduce Bill (No. 198) to amend the Industrial Disputes Investigation Act, 1907.

Motion agreed to, and Bill read the first time.

Sir WILFRID LAURIER moved the adjournment of the House.

Mr. R. L. BORDEN. What business will be taken up to-morrow?

Sir WILFRID LAURIER. Some minor Bills. Then we will go into Committee of Supply on the Postmaster General's estimates, and then on the estimates of the Minister of Public Works.

Motion agreed to, and House adjourned at 10.50 p.m.

HOUSE OF COMMONS.

FRIDAY, April 8, 1910.

The SPEAKER took the Chair at Eleven o'clock.

STANDING ORDERS COMMITTEE.

Mr. McCRANEY moved that the third report of the Select Standing Committee on Standing Orders be concurred in.

Mr. SPROULE. The Bill here referred to is the one I drew attention to yesterday, and the recommendation of the committee, is, as I understand, that in consequence of the fact that their notice in the 'Gazette' or the advertisement which has been published did not signify the intention of the incorporators to extend their transmission line into the province of Ontario, it was recommended that they be not given the authority to extend the line into Ontario, but to confine it to the Quebec side entirely. I take it that if concurred in, it would be an instruction to the committee to amend the Bill in that direction, and to the House of course to accept the Bill as so amended. It brings up another question which might be worthy of consideration, but I do not know if it is the proper time to consider it here. If it is confined solely to the one province, then there is a question as to whether it should not be right of that province to incorporate the company instead of the federal parliament. But with this recommendation to look into it carefully, I see no serious objection to the report being concurred in.

Motion agreed to.

REPORT OF COMMITTEE ON MARINE AND FISHERIES.

Mr. SINCLAIR moved that the sixth report of the Select Standing Committee on Marine and Fisheries be concurred in.

Mr. R. L. BORDEN. What is it?

Mr. SINCLAIR. They recommend that the proceedings of the committee on Marine and Fisheries be printed. On account of its importance to the commerce of the country, they recommend that the evidence taken before them and the arguments of counsel should be printed for the use of the House.

Mr. R. L. BORDEN. Has the committee made any report on that Bill?

Mr. SINCLAIR. The Bill is still before the committee, the committee has not reported.

Motion agreed to.

ROYAL ASSENT.

Mr. SPEAKER. I have the honour to inform the House that I have received the following message:

Ottawa, April 7, 1910.

Sir,—I have the honour to inform you that the Honourable Mr. Justice Girouard, acting as Deputy to His Excellency the Governor General, will proceed to the Senate Chamber to-morrow afternoon at 3.30 o'clock, for the

purpose of giving assent to certain Bills which have passed the Senate and House of Commons during the present session.

I have the honour to be, Sir,
Your obedient servant,
C. J. JONES,
Assistant Governor General's Secretary.

The Honourable,
The Speaker of the House of Commons.

LICENSES TO FISHING VESSELS.

Mr. JAMESON moved for leave to introduce Bill (No. 199) respecting licenses to fishing vessels. He said; This Act relates only to vessels of Canadian register engaged, or intending to engage, in the Atlantic fisheries of Canada. It will be purely optional with the owners of such craft to apply for license and so bring their vessels within the scope of the Act. But during the time any vessel is under license, her employment is limited to the fishing trade. The object of the Bill is to facilitate the movement of vessels employed in fishing, more especially those engaged in the fresh fish branch of the industry.

A Bill to be introduced concurrently with this one is intended to amend the Customs Act, and exempt vessels licensed under this Act from the necessity of reporting at the custom house, the two Acts being essential to that end. As the law stands, the skipper of a fishing vessel is liable to a penalty of $400 if he lands his fish or even drops anchor in harbour without reporting. This is a serious drawback to the fresh fish business, which cannot afford any unnecessary delays, which it is hoped this Bill will remove.

Motion agreed to, and Bill read the first time.

CUSTOMS ACT AMENDMENT.

Mr. JAMESON moved for leave to introduce Bill (No. 200) to amend the Customs Act. He said: This is a companion Bill to the one which I have just introduced.

Motion agreed to. and Bill read the first time.

JUDGES OF SUPERIOR COURT, QUEBEC, AND KING'S BENCH, MANITOBA.

Mr. AYLESWORTH moved that the House go into committee on Monday next to consider the following proposed resolution:

That, in the opinion of this House, it is expedient to provide for the payment to four additional judges of the Superior Court in the province of Quebec, each $7,000 per annum, and to one additional judge of the Court of King's Bench in the province of Manitoba, $6,000 per annum.

Mr. SPEAKER.

He said: I have to state that His Excellency, the Governor General having been apprised of the subject matter of the resolution, recommends it to the House.

Motion agreed to.

BOUNTY ON CRUDE PETROLEUM.

Mr. GRAHAM moved that the House go into committee on Monday next to consider the following proposed resolution:

That it is expedient to provide that the bounty of one and one-half per cent per imperial gallon payable on crude petroleum from Canadian wells, or from shales or other substances mined in Canada, authorized by chapter 52 of the statutes of 1908, may be paid to the owner or occupier of the soil through which it is mined or won, or to such other person interested or injuriously affected by the mining operations or works, as the Governor in Council may approve.

He said: I have to say that His Excellency having been apprised of the subject matter of this resolution, recommends it to the consideration of the House.

Motion agreed to.

CIVIL SERVICE ACT AMENDMENT.

Mr. FISHER moved that the House go into committee on Monday next to consider the following proposed resolution:

That it is expedient to amend the Civil Service Act by providing for the appointment of temporary clerks for the compilation of any decennial census, who may be employed for a period not exceeding three years, and who shall be eligible for the annual statutory increases provided by the Civil Service Amendment Act, 1908; by providing that the salary of a temporary clerk employed under section 23 of the said Act shall not be greater than the minimum salary authorized for subdivisions B of the second division, subject to be increased as authorized by section 33 of the said Act; and for the payment to collectors of customs of a salary not greater than $4,500 per annum; and for the payment of officers of inland revenue salaries not greater than the following maximum, viz.: inspectors, $3,200; collectors, $2,800; deputy collectors, $2,200; accountants, $1,800; special class excisemen, $2,500; first, second and third class excisemen, $1,500; probationary excisemen, $600; stenographers and typewriters, $700; messengers, $800; and for the payment of officers of the Post Office Department, as follows, viz.: Post office inspectors on appointment, $2,500, with an annual increase to a maximum of $3,500; assistant post office inspectors and superintendents of the Railway Mail Service on appointment, $1,600, with an annual increase to a maximum of $2,500, and to authorize the increase to the minimum of the salary of any such officers whose salary is at present less than the minimum; and assistant postmaster, on appointment, a salary of not less than $1,100 and not more than $2,800, and that the said salaries and increases shall be payable as from the first day of April, 1910.

He said: His Excellency the Governor General has been made acquainted with the substance of this resolution, and recommends it to the House.

Motion agreed to.

TREATMENT OF IMMIGRANTS.

On the orders of the day being called:

Mr. THOMAS BEATTIE (London). Mr. Speaker, there is a very important matter that I would like to bring to the attention of the minister in charge of immigration. This unfortunate affair happened at Quebec towards the close of navigation last year. A most respectable family who had been engaged in farming in the old country, composed of a father, wife, son and daughter, were induced to come out to this country by a very prominent citizen of London. This old country farmer determined to sell out his holding in England, come out to this country and take up a farm. Feeling that these people were strangers in the country and that they might have trouble in landing at Quebec upon their arrival, this gentleman in London took the pains to go to Quebec to meet them. He met them on the ship, escorted them to the immigration shed, and left them there to be examined and to pass their baggage. After waiting for some time he looked for his friends, but he could not find them at all. He hunted for an hour around the landing stage at Quebec, but he could not get any track of these four people. Finally, one of the truck wheelers informed him that there were four parties confined in a room upstairs. He went upstairs and inquired, but the officials refused to open the door. But, as he happened to be a very large man, six feet four inches in height, he threatened that if they did not open the door he would put his foot through it. Thereupon the door was opened and inside he found the mother and daughter sobbing and saying that they had been locked up as prisoners without any reason having been given. He could not get any reason from them why they were locked up. The father of this family had no less than £200 of British money on his person, which he had unfortunately showed to the person in charge. I do not want to insinuate that the man was actuated by improper motives, but we know that such things do occur, that they have occurred in the United States, and that they may occur in Canada. No immigration officer is fit to be in such a position who would lock four respectable people in a room and give them no reason therefor. The only impression that the man got was that they were locked up with the idea of being taken somewhere else afterwards and there given an opportunity of getting rid of their money. This is one of those cases in which respectable people should receive different kind of treatment. This man was pretty well to do in England, being a small farmer there, and he sold out his holding and brought all his money with him. He had £200 in British money on his person, and the balance he had in the form of a draft. Being an Englishman and being accustomed to regard public officials in uniform with confidence, he no doubt placed the same confidence in the uniformed officer at Quebec. This is a very serious matter, this gentleman has been speaking to me several times with regard to it, and I think it should be brought to the attention of the minister, because, if there are officers of that description in the employ of the government and if inquiry substantiates the case which I have presented to the minister, they should be dismissed immediately. There was no possible justification for locking up this respectable man, his wife, son and daughter without giving them some reason why they were detained. It is so extraordinary that I cannot account for it. I have crossed the Atlantic sixty or seventy times myself and I have never known a case of that kind. I have my suspicion that the officer, seeing the money, thought there was a chance to get these people some place outside where they might be relieved of it more readily. However, I do not make that charge. The minister should find out who that officer was, although, I suppose, it would be rather difficult. I just bring the case to the attention of the minister, and I would be very glad if the minister would make an inquiry or inform the head inspector and have him report on the case.

Mr. OLIVER. I am very sorry to hear of an occurrence such as my hon. friend (Mr. Beattie) has brought to the attention of the House. I only regret that it was not brought sooner after the alleged occurrence took place, so that we would be more certain of a satisfactory investigation. I can assure my hon. friend that his statements, as they have been made, will receive every attention at the hands of the department, because I can assure him and the House that the last thing that the administration wish is to in any way hamper or impede immigration of the character that my hon. friend has mentioned.

Mr. BEATTIE. I did not hear of the matter until ten days ago. I happened to meet this gentleman and he mentioned it to me. Otherwise I should have brought it to the attention of the House before. I am quite sure that the Minister of the Interior will do all that is possible to inquire into the matter and see that this condition is remedied.

Mr. M. CLARK. Before the House leaves the matter which has been brought to the attention of the minister by the hon. member for London (Mr. Beattie)—and I think he has placed the House of the country under an obligation by bringing the matter before the House—I wish to state that during the Easter holidays I was called upon by a farmer delegate returning from the duties to which he had been assigned in the old country by the Minister of the Interior. He told me that he noticed that a large number of immigrants who happened to come over on the same boat with himself were being treated with very scant courtesy by the officers of customs at the port of landing. He went and remonstrated with some of these officers, with the result that there was an immediate amelioration in the way that they handled some of the immigrants. This is, of course, one of the minor evils of a custom tariff, but in consideration for those who are coming out to be citizens of this country and in many cases with capital, although I do not think that should make much difference, I hope that the minister will look into this matter and not pass it off with the assurance that he is very sorry. It seems an inconsistent thing to be bringing immigrants to this country and then make them the victims of a circumstance like this, which only happened to reach us in the case of those who chanced to be travelling on the same boat as a farmer delegate returning from his duties in the old country.

Mr. OLIVER. I wish to again assure the hon. gentleman (Mr. Clark) that it is the intention and desire of the Immigration Department that their officers should treat immigrants with every possible consideration. Of course the duties of the immigration officers are imperative, and must be discharged without delay. There is no time for lengthy discussion, and promptitude may have been understood as incivility. While I would ask for the immigration officials every consideration in the discharge of their sometimes unpleasant, and always very hurried duties, I want to assure every one that the intention of the department is that every immigrant, whatever class he may belong to and whoever he may be shall be treated with due courtesy by the officers of this government. I will be glad to have any instances of the infraction of that rule brought to our attention at the earliest possible date. I would mention to my hon. friend from London (Mr. Beattie) that we would like to have the name—not necessarily for 'Hansard'—but we would like to have the name, and about the date of the occurrence, and also in the case mentioned by my hon. friend from Red Deer (Mr. Clark) we would like to have what information we can.

Mr. BEATTIE. I shall be very pleased to give the minister the name of the person. I may say that my reference was to a most respectable person who is in very good circumstances.

QUESTION OF PRIVILEGE—MR. BARKER.

Mr SAMUEL BARKER (East Hamilton). Mr. Speaker, before the orders of the day are called I wish to direct attention to an item appearing in the Toronto 'World' of Monday last which I had not seen until my attention was called to it. It is one of a series of items commenting upon certain political matters at Ottawa, and it reads:

> One outstanding mistake of those who controlled the affairs of the party some few years ago was the acceptance of a salary by the leader of the opposition. Mr. Barker, of Hamilton, negotiated this matter with the Minister of Justice at the time, and Mr. Borden was cognizant of what was going on. The 'Globe' has been taunting Mr. Borden ever since and saying that in some way he was bound to be subservient towards the administration.

Now, Mr. Speaker. I would not personally have taken any notice of that; I pay very little heed to anything that appears in that paper because it is my opinion based on pretty general knowledge of the people where those connected with that paper are best known, that very little reliance can be placed upon what appears in it. But, it imputes inpropriety to the then Minister of Justice as well as to myself. That may not appear so clearly on the face of this particular item as if you read it in connection with the speeches of the manager of that paper, who is a member of this House, and his public utterances throughout the country. To those who perhaps may place some little trust in such speeches my silence on this occasion might be taken to be some confirmation of the charge of impropriety as against the then Minister of Justice, who is now absent filling a most important mission in Europe on behalf of the British empire. So I do not think it would be right for me to allow that item to go without a remark. The manager of that paper has again and again alluded to the Act of 1905, (which deals with the indemnity of all members of this House, and of the Senate, and some other matters, including the indemnity to the leader of the opposition) and he has spoken of it as a reward for the betrayal of the people. And, taking the whole of his speeches from time to time he alleges that the betrayal has been of the very broadest character by members of this House. That gentleman has spoken of public men who had wrought iniquity, and who by that Act of 1905 had voted themselves public money in

salaries, in pensions, and in indemnity, as a reward for their treachery to the people. And in connection with it he in effect charges in that item that I, and the then Minister of Justice, negotiated that little—what I suppose he would call financial transaction—intended to reward public men for a betrayal of the interests of the people of this country. It is one of these skilful items which this gentleman indulges in. I do not mean to refer here so much to the gentleman who wrote the item, as to the man who inspired it, and I have no doubt who that was, and I am sorry he is not here to-day.

Mr. HUGHES. He will swear he was here to-day, though.

Mr. BARKER. Now, that he has made that charge, and that I have called attention to it I desire to give it the most unqualified contradiction. There is not a word of truth in it, and if I may be permitted to say so, I believe the man who inspired it, whoever he may be, knew he was telling a wilful lie. I have reason to say that; I have good reason to say that he knew better than one would imagine from that false statement. He charges me with having negotiated one feature of what he calls the reward for treachery that was provided by the Act of 1905, and he does that squarely. Now, I have no doubt that most members of this House recall very well what took place in 1905. Up to that time the indemnity to members was $1,500 —it had been placed at that amount in 1901. There was a great deal of agitation in the House owing to the very long sessions we had had for two or three years, and that was so especially in the case of gentlemen who had come from the Atlantic and Pacific shores, and practically had to stay here throughout the sessions without ever returning to their homes or their business during a session. It was considered a very great grievance indeed that these men should come here, and give up their time to the public service, and receive only $1,500. Rightly or wrongly, they had that grievance, and the first I heard of any action being taken was when I was told that a round robin was being circulated. Although I had never seen it, I was asked would I sign it. I said, no, I had never signed a round robin and I would not now. But I do not mean it to be supposed that I was opposed to the increase. I said I was in favour of a proper increase. The round robin was, I believe, presented to the leader of the opposition, and I presume to the leader of the government. At all events the result was, so far as my knowledge goes, that the leader of the opposition called into conference members of his party from every province which was then represented in the Conservative party. The question was discussed frankly, and freely and openly in all the relations of that Act to the members of this House. It was what I may call a conference of the party. There was no secrecy, no concealment, it was all open and plain. The first question before us we on our side all agreed upon, and that was that the indemnity then allowed to the leader of the government was wholly inadequate to the obligations of his office and position. There was not a worl of doubt on that; no person hesitated for a moment. It was equally the opinion of those of our friends on the Conservative side, who were thus consulted, that it was unfair that the party in opposition should be asked to collect subscriptions or themselves pay the subscriptions towards the official expenses of the party leader; and that it was equally unfair that he should travel from the Atlantic to the Pacific on the many duties of leadership at his own expense. I do not think there was one present who doubted that. The only one I have any recollection of who hesitated was the leader of the opposition himself. My own opinion was clear and undoubted that it was a proper thing, and I could never see, and do not yet see how the acceptance of a grant from parliament, by the leader of the opposition, makes him a servant or in any way obedient to the government of the day. I never could understand it, and I cannot understand it now.

Mr. HUGHES. It is the peoples' money.

Mr. BARKER. It is not the government that pays that money. The government could not pay it, it could not draw the money out of the public treasury without the authority of this House. The whole House votes it. The highest official in this land gets his salary just the same way. I presume our constitution is not shaken by the fact that the man who stands above the government is paid in the same manner. However, that was one of the questions before us. There was also the question of the indemnity to the members, and the proposition that it should be increased met I think with general approval. The result of it was that a conference took place between some members on the government side, and some members on this side. I presume that conference was arranged as such meetings on matters of public moment are usually arranged for. I know I was one of those who attended. That meeting also was as public as anything could be that is not published in the press. There were some eight, ten or twelve members present from both sides, and they sat in the room and discussed this whole question, and talked over what was reasonable, and what was right and proper. The result was that

I think every gentleman present was of the opinion that the indemnity which had been paid to the leader of the government up to that date was insufficient. There was no difference of opinion as to that. The same view was taken in regard to the indemnity to the leader of the opposition. I do not think there was any dispute or difference of opinion as to that. Well, now, all I can say further with regard to that matter is this: That I was there simply as a member of this House, as I have been on other occasions when conferences took place in regard to important subjects that can best be thrashed out in that way. There was no secrecy about it; no negotiations, nothing of the kind. It was discussed just as it would have been discussed if every member of both parties was there. All I had especially to do in connection with that committee, or whatever you might call it, was that I was requested to act with Hon. Mr. Brodeur, Minister of Marine and Fisheries in revising some of the clauses of the old Act. It will be in the recollection of this House that there had been something like a scandal throughout the country, and in the House with regard to the payment of indemnity to members. It was alleged on apparently most excellent grounds that one or more members; certainly one was notorious for getting from the public treasury payments rather for his absence than for his presence. I assert that. And the chief object of the mission which the minister and I undertook was, in the public interest, and for the protection of the public chest, to try and improve the checks upon such payments. Prior to that time the member who claimed his indemnity made an affidavit at the end of the session—whether it lasted four or five or six months—in which he stated by a solemn declaration—the statute declaring it to be in law a declaration upon oath—that he had been present or absent so many days. Well, we thought, at all events I thought, that it was perhaps taxing the memory of the member of parliament too severely to ask him to make out that declaration after six months, and to say how many days during the previous six months he had been present in the House or absent from it. It occurred to us that it would be fair to the individual who had to commit himself to this statement upon oath that he should do it once a month when his memory was fresh, and when there would be no danger of his misrepresenting his presence or his absence. So, we made that important distinction as to the new affidavit as against the former one, and I think on the whole the change has had pretty good results. We changed the Act so that the affidavit is made at the end of each month, so that a man who had been present say five days, and absent fifteen days out of twenty days sittings of the House would not be likely to make a mistake, and declare that he was present every day. I think we acted wisely in that. That was the whole work I had to do in connection with the business. I had no negotiations with anybody about indemnities or anything else; I was simply asked to join the Minister of Marine in improving that clause of the old Act. I do not know whether the fact that I took part in that has had anything to do with this item in the Toronto 'World'; certainly I have from beginning to end had no connection with the matter that should arouse the ire of the hon. member of whom I have been speaking except that one thing. There were two changes made: One I have mentioned, by the other we cut out the old practice, a very pernicious one, of a gentleman showing his face at a committee room door, and then going away, and being able to make his affidavit that he had attended, because under the old Act you were allowed to count attendance upon a committee as attendance upon the House. We struck that out, and so attendance at a committee does not count under the present Act. We brought it down to as nearly as possible what the people of the country expected to pay when they are paying a man for his services in this House. I do not know that I can recall one circumstance that would give the slightest excuse to that paper or to the man who inspired that item for dragging in the name of the Hon. Sir Charles Fitzpatrick. I think that is an outrage. The only time I addressed a word to Sir Charles Fitzpatrick during the whole of that matter was when the Bill was in committee. Sir Charles Fitzpatrick was watching the Bill through committee of the Whole House as Minister of Justice, and once or twice, as I had had a hand in drafting the clause, he called to me, and I went over to see that some proper verbal corrections were made. That is the one and only instance in which Sir Charles Fitzpatrick, and I addressed each other on the subject matter of thet Bill. Therefore I have asked the privilege of making this statement quite as much, indeed far more on his behalf in his absence, than I do on my own. I repeat that the statement in this newspaper is an absolute falsehood.

INQUIRY FOR A RETURN.

Mr. G. V. WHITE. I desire to ask the Minister of Public Works when I can expect the return ordered with reference to the Georgian Bay canal?

Mr. PUGSLEY. Probably next week.

REGULATION OF HORSE-RACING.

Mr. T. G. WALLACE (Centre York). Mr. Speaker, before the orders of the day are called, I desire to bring to the attention of the House and especially of the Prime Minister (Sir Wilfrid Laurier) a matter of great public importance. For the last two days, we have been discussing what is popularly known as the 'Miller Bill,' the measure proposed by the hon. member for South Grey (Mr. Miller) for the suppression of the evils of race-track gambling. From the fact that this measure was given two days of the time of the House at this stage of the session and has been adjourned, and from the wide public interest it has aroused, it is evident that there is a strong desire on the part of parliament and of the public to at least lessen the evils associated with horse-racing in this Dominion. I have a measure on the Order Paper, known as Bill (No. 81) an Act to regulate horse-racing. The effect of this measure would be to strictly limit the number of days to be devoted to any race-meet in the Dominion. In view of the importance of the question and of the desire of the public to have this evil dealt with in some way, I would ask the Prime Minister to afford time for the discussion of the Bill standing in my name, and, for that purpose, to fix a day when it may be brought up. I believe that the Bill would not occupy much time, as it is one upon which hon. members will be likely to agree without much discussion. I ask the Prime Minister to extend to me this privilege.

Sir WILFRID LAURIER. We have given a good deal of time to horse-racing this session, and I do not feel inclined to give any more just now.

BOUNTIES ON ZINC ORES.

Mr. TEMPLEMAN moved the third reading of 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. He said: In the discussion on the second reading of this Bill, I promised my hon. friend from East Grey (Mr. Sproule) that I would give more information with regard to the production of lead as a result of these bounties. I have obtained statistics from the Trade and Commerce Department. The bounty system came into effect in the year 1904. As will be seen from the table which I shall read, the average production for the two years preceding 1904 was about 20,000,000 pounds, or 10,000 tons. Immediately after the coming into effect of the bounty there was a marked increase in the production of lead, and the figures show that the result of the bounty has been to encourage lead production to the extent of two or three times the former quantity, the beneficial results of which will be obvious. The following are the figures showing the production:

ANNUAL PRODUCTION OF LEAD IN CANADA, 1902-1909.

Calendar Year.	Pounds of Lead.
1902	22,956,381
1903	18,139,283
1904	37,531,244
1905	56,864,915
1906	54,608,217
1907	47,738,703
1908	43,195,733
1909	45,857,424

Mr. SPROULE. These figures seem to show that while the average production before the bounty was 20,000,000 pounds, the average production since the bounty has been about 44,000,000 pounds. Within the last two or three years the production has gone down again. This would seem to indicate that the increase of the previous years may have been due in part to incidental causes outside of the bounty. My object was to learn to what extent the lead industry had been stimulated, and I am glad to have the figures the minister (Mr. Templeman) has quoted.

Motion agreed to, and Bill read the third time, and passed.

MEAT AND CANNED FOODS ACT AMENDMENT.

Mr. FISHER moved the third reading of Bill (No. 193) to amend the Meat and Canned Foods Act. He said: My hon. friend from East Grey (Mr. Sproule) asked as to the definition of 'farmer' under this Bill. I consulted my officers, and they assured me that the definition in the Bill was as drafted by the law clerk, and that they believed that it was as clear as it could be made.

Mr. SPROULE. If the law clerk holds that opinion, of course his opinion ought to be of more value than that of a layman like myself. There was another question which was brought to the attention of the minister when the Bill was under discussion, and one that seems to me to be worthy of consideration, and that is whether it would be advisable to introduce a clause to limit the time during which food may be kept in cold storage. I still think, especially in view of the information we have been receiving from the United States within the last few months, that this is a desirable subject of legislation, and one that should receive early attention from the minister and the government. I would ask the minister if the government have made up their mind to introduce legislation for this purpose at any time in the near future?

Mr. FISHER. I have not sufficient information yet to justify me in coming to a

decision on that matter. During the recess, I shall try to learn facts with a view to deciding what legislative action, if any, should be proposed.

Motion agreed to, and Bill read the third time, and passed.

COMMISSION FOR THE CONSERVATION OF NATURAL RESOURCES.

Mr. FISHER moved the third reading of Bill (No. 185) respecting the Commission for the Conservation of Natural Resources.

Mr. R. L. BORDEN. What was done with respect to the amendments that were suggested?

Mr. FISHER. If the hon. member will read the reprinted Bill, he will see that we incorporated the amendments proposed by my hon. friend from East Lambton (Mr. Armstrong), making them apply to the officials, but not to the members of the commission.

Mr. R. L. BORDEN. My recollection is that there was one portion of these amendments which, it was thought, might be made to apply to the members of the commission.

Mr. FISHER. I understood that the hon. member for Brandon and the hon. gentleman (Mr. Borden) had a discussion on that matter privately, and they thought there would be some difficulty in making that apply. The hon. member for Brandon so reported to me, so I did not carry out that suggestion.

Mr. R. L. BORDEN. I think it was suggested that provisions of that kind might be considered by some hon. gentlemen on both sides of the House, and presented as a further amendment next session.

Mr. ARMSTRONG. Is it understood that a committee should be appointed for the purpose of arranging some kind of an amendment to the present Conservation Act whereby the commissioners would be in a different position from the one they now occupy?

Mr. FISHER. It is understood that an attempt will be made to frame an amendment of that kind.

Mr. R. L. BORDEN. I do not think the suggestion was that a formal committee should be appointed, but that a number of gentlemen on this side of the House who are interested in seeing this legislation in the best possible condition, would meet some members of the government, or other gentlemen opposite, and endeavour to frame a suitable amendment for the purpose.

Motion agreed to.

Mr. SPROULE.

THE FRENCH TREATY.

Mr. FIELDING moved the second reading of Bill (No. 126) to correct a clerical error in the French Convention Act of 1908. He said: Repeating the explanation I gave at an earlier stage, this Bill is to correct a clerical error as respects a single figure in the French Convention Act. In one of the schedules of the treaty, reference is made to certain wines of a strength up to 26 per cent. In the French version of our statutes it is correctly printed; in the English version it reads absurdly, it reads from 23 to 23 per cent instead of from 23 to 26 per cent. But being correctly printed in the French version, it is already law. However, to remove all doubt it is better to correct this error in the English version.

Mr. HENDERSON. I would ask the Minister of Finance, as we may have occasion to use some of these schedules that were prepared at the time the French treaty was discussed, whether any of these printed schedules, giving the rates of duty, both of goods going into France and their rates converted into dollars and cents, are still available?

Mr. FIELDING. If I find any available I will be glad to send them to my hon. friend. But I may remind him that the French Chambers recently made a revision of the French tariff, and I think some of the items concerned have been somewhat changed. There are certain rates on both sides which are not specially mentioned, that is to say that, we get the French minimum rate and they get the Canadian intermediate rate. Both countries have the right to change these, and the French legislature has exercised that right in some respects in the revision of the tariff which is just about being completed. But I will send to my hon. friend, if I can get them, these printed documents, though it is possible that in some respects they may have been varied by recent changes.

Motion agreed to, Bill read the second time, considered in committee, reported, read the third time and passed.

CURRENCY ACT AMENDMENTS.

Bill (No. 195) respecting Currency, read the second time, and House went into committee thereon.

Mr. FIELDING. I sympathize with the view expressed the other day by the hon. member for Halton (Mr. Henderson), that when we are making any numerous amendments to a Bill it is much to our advantage to re-enact, if not the whole Bill, the clauses which are to be materially changed. I think there is a convenience in that from the layman's point of view, and even from the lawyer's point of view. In this case we are proposing to amend the Currency Act,

and we do it in the form of a revision. While the Act is somewhat lengthy, it is for the most part merely a re-enactment of the existing law. The important changes are those which I explained to the House the other day with respect to the gold standard; that is practically the only important change in the Act. The House, while it may wish to follow the various sections, may feel sure that the important changes are those to which I have already called attention. The clauses that are amended are all printed in italics, so that attention may be drawn to them. Though we may pass the Bill through committee today, if it is desired that it shall stand for the third reading, I have no objection.

On section 3,

Mr. DANIEL. Is that the gold standard of the English sovereign?

Mr. FIELDING. No. My hon. friend, I suppose, was not present the other day when I explained this. Our currency is on a gold basis with the British sovereign of the fixed value of $4.86\frac{2}{3}$. We have also another standard with a fractional difference, because the American gold coins are legal tender in Canada. It might be assumed that as we have these two standards the value is relatively the same, but in reality there is a fractional difference. If we should now, in making our gold coins, produce a $5 gold piece on the basis of the British sovereign, the result would be that we would have a coin intrinsically worth less than the American five-dollar gold piece. What we propose to do is to make our five-dollar gold piece exactly equivalent in intrinsic value to the American five-dollar gold piece. There is a fractional difference as between that and the British sovereign, but it is not important enough to affect any commercial transaction. It amounts to the one hundredth part of a cent on a five-dollar gold piece. It will never be of serious importance to any commercial transaction, but I am sure hon. gentlemen will see that it is rather desirable that our coins, being of the decimal currency, should be in every respect equal in value to the American gold which may be placed in competition with it.

On section 4: value and currency of standard goods, silver and bronze coins, &c.

Mr. FIELDING. I am going to make an amendment to that section to which I wish to call the attention of the committee. It will be observed that our silver coins comprise a fifty cent piece, twenty-five cents, ten cents, five cents, and there is a bronze coin of one cent. I propose to insert the provision to authorize us to make a silver dollar. Hitherto, I have not viewed it with much favour and have not thought it necessary, but representations have been made to me, chiefly by hon. gentlemen from British Columbia on both sides of the House, that a silver dollar is desirable. In eastern Canada where we have the dollar note—and I am glad to say that we have it in a more cleanly condition than it was in former times—the dollar note is very satisfactory. It is a curious fact that on the Pacific coast—I suppose it is because metal is so much in evidence out there—they do like to handle the coin. I know that I have attempted to get small notes on the Pacific coast and could not get them. If our British Columbia friends want the silver dollar we think that they had better have a Canadian silver dolfar than an American. There is some difference of opinion as to the need of it, but, at all events, I propose to take authority to coin the silver dollar.

Mr. DANIEL. That would be a very large coin would it not?

Mr. FIELDING. Yes, it corresponds with the American dollar. I think it is rather an inconvenient coin, but people in the east and the west have different ideas, and I am doing this at the instance of two or three hon. gentlemen from British Columbia on both sides of the House.

Mr. HENDERSON. What would be the weight of a Canadian dollar as compared with the American dollar? I think that our dollar perhaps would contain more silver and less alloy, and consequently would not be so cumbersome as the American dollar, which, has not as much pure silver in it. What would be the difference in weight?

Mr. FIELDING. I think my hon. friend (Mr. Henderson) is mistaken, and in any case the difference would be so trifling that it would have no effect in business usage. As a matter of fact the American silver dollar is worth a little more intrinsically than our silver dollar will be as our silver coinage is not based upon its silver value. It is only token money anyway and the weight or fineness of the coin is not a matter of any importance. When we come to gold coin, of course, the object is to make the coin equal to the bullion, but, in the case of silver, it is only a token and one grain more or less is of no consequence.

Mr. HENDERSON. As a matter of sentiment it is of a good deal of consequence. I think we have an opinion in Canada that our silver coin contains more actual silver than the American. I am rather surprised to hear that the reverse is the case. With regard to coining a Canadian dollar, I am going to raise no objection to it whatever, although I do think that paper money is

more convenient. It is a matter of choice whether a man pays or receives a silver dollar or a dollar in paper money. This will simply give permission to the different provinces to use the kind of money they want. I have no particular objection to it but I would rather have paper money myself.

Mr. BURRELL. I would like to ask the minister if he has any information as to what amount they are now issuing silver dollars in the United States or whether they are coining very many of them. We got a great many of them a few years ago.

Mr. FIELDING. I am told that while they are still coining them they are not so generally used as formerly. I find that the silver dollar is the dollar most largely in use on the Pacific coast. I found it so myself when I was there. I remember on one occasion on the United States Pacific coast trying to get paper money; I found that I could not get small notes but they had plenty of silver dollars. That is the tendency of the Pacific coast in the United States and it extends to the British Columbia section.

Mr. HENDERSON. A sort of Chinese money.

Mr. FIELDING. No, it is not Chinese money.

Mr. GOODEVE. As representing the associated boards of trade of British Columbia I may say that I waited on the hon. Minister of Finance (Mr. Fielding) and urged upon him the coinage of this silver dollar. I did so at the instance of the associated board of trade, comprising thirteen boards of trade in southern British Columbia. The reason they have asked for it is because of the use of a very large number of American dollars all through the west, particularly in British Columbia, and along the border, and they have thought that if we had a Canadian silver dollar it would probably, to a very large extent, do away with the American dollar. The minister gave me the same explanation as that which he has made to the House, that personally he felt it was not a desirable coin owing to its weight, but if there was a real demand on the part of the western provinces he would be pleased to meet that demand. We felt that it would be an advantage in that way. The Americans there are accustomed to it, and some prefer it to the bill, although I agree myself personally with the attitude taken by the minister. We are accustomed to the Canadian dollar bill, and find it perhaps the more convenient, but there is no question that there is a very large circulation of American coinage through a very large part of the Kootenay country; how much it is difficult, without accurate statistics to say, but a very large part of the change below five dollars is made in these silver dollars. A merchant will have in his till a greater proportion of American silver dollars than any other coin. Therefore, we felt that the introduction of this coin would be an advantage. Further, as the minister truly stated, there will be a certain profit in coining this money that will accrue to the government, the intrinsic value not being equal to a dollar in value. It would be desirable to have a limited quantity of that coin.

Mr. BLAIN. I would like to ask the Finance Minister what amount has been paid to the banks for collecting American silver and exporting it to the United States.

Mr. FIELDING. I gave that the other day. I have not the figures at hand.

Mr. BLAIN. I will find it in 'Hansard'. May I ask the minister if any effort has been made by the government to collect defaced silver, there being a considerable amount in circulation in Canada at the present time? It is very troublesome. The government are making an effort to collect American silver, and have it sent back to the United States, and I think a similar effort should be made to collect defaced silver which gives every person who has anything to do with it a great deal of trouble. As I understand, when a government bill becomes torn, or defaced it may be taken to the Receiver General's, or the deputy Receiver General's office, and a new dollar bill will be given in exchange. Why could not some arrangement of that kind be made so that the people of Canada would not be troubled by the continued circulation of coins that become more defaced every time they are changed. One other point. United States bills circulate freely in Canada, and are accepted by all classes of people at par, especially corporations and banks. But when our Canadian people go to the United States, they find considerable trouble in getting Canadian $1 bills exchanged, even in the frontier towns. If they go into the interior, it is next to impossible to get the Americans to accept our $1 bills at all. Why could not this government enter into correspondence with the Finance Department at Washington and endeavour to have some better understanding, and obtain some slight endorsation of the Washington government, so that when Canadians go into the inner parts of the United States with Canadian money they would be able to have that money accepted by the American people at its face value, and teach them that if we are free to accept their money they should accept ours.

Mr. FIELDING. I quite understand the ground which my hon. friend has taken,

but I am afraid the matter is something we cannot deal with by legislation. If we do not want American bills in Canada, we need not take them. If we take them, it is because it suits our convenience to do so. I noticed quite recently that one of the large American cities, the city of Portland, Oregon, by arrangement with the banks and clearing houses, has decided to accept Canadian currency generally at its face value. I would hope that its example may be followed by other cities. It is hardly correct to state that our notes will not be taken anywhere in the States. At any of the large business establishments, where they are accustomed to deal with Canadians, they will take our Canadian currency at its face value.

Mr. BLAIN. I think that is confined to cities along the border.

Mr. FIELDING. No, I know that in some instances in Boston and New York, the larger establishments will take our Canadian money at par. In one instance I remember—and this illustrates what is done in a large way—tendering a Canadian bank note at an American railway office and being informed that they could not take it, although it was a note of one of our largest banks. When I entered into conversation with the ticket agent, he told me that they had instructions to accept Canadian government currency, but as regards the banks, he said: We know nothing about them. That occurred not far from our boundary.

Mr. BLAIN. Were these instructions from the government?

Mr. FIELDING. No, from the railway company. In many places in the United States they do accept our currency; but I should hope that when we have our gold currency, when there is no question possible as to its intrinsic value, some such arrangement as my hon. friend suggests might be carried out. As respects silver, I do not think it possible to bring about what my hon. friend desires except by the voluntary action of the banks, the boards of trade and other commercial associations. With respect to worn or defaced silver, I am not quite sure to which my hon. friend referred, but perhaps he referred to both.

Mr. BLAIN. Yes, I had in mind more particularly Canadian silver because in the main American silver is in good condition.

Mr. FIELDING. Canadian silver, as a rule, is in good condition, and there is no British silver circulated in Canada—in the ordinary sense of the word. It is a very inconvenient coin and practically not circulated.

Mr. BLAIN. What I meant was the circulation of silver bearing our label rather than silver of the United States.

Mr. FIELDING. Sometimes an Englishman coming out here finds that the British shilling is not welcome, and he may imagine that there is something disloyal in that. But the explanation is that the British silver is an odd coin which does not correspond to our Canadian coin and is inconvenient with regard to its value. As regards Canadian silver, we have made provisions for the redemption of worn silver. That is silver simply worn by abrasion in time. A great deal was in circulation, and we are endeavouring to have it recoined into fresh, clean silver.

Mr. BLAIN. What about the ordinary holder having $5 or $10 worth?

Mr. FIELDING. Let him take it to the banks. The government cannot deal with every individual. Through the banks we accept that worn silver and have it recoined, and we are very anxious that the banks should assist us.

Mr. BLAIN. Do they accept it at par value?

Mr. FIELDING. They accept worn silver. I want to distinguish between worn silver and defaced silver. The worn is simply silver which has served its day and generation and suffered something from usage. It is only right that we should redeem that at face value. But defaced silver is a different problem. The defacing and mutilating of coin of the realm is a misdemeanour. It would be hardly consistent for us to declare that a crime and then to proceed to redeem the mutilated coin. Recently, however, with a desire to collect worn and defaced silver and recoin it, we have strained a point and agreed to take a lot of the defaced silver at a small reduction, until such time as we shall have the defaced silver now in use recoined and be able to start with a clean issue. We are, of course, open to the charge of having first declared the mutilating of a coin to be a crime and then proceeding to encourage that crime by redeeming it. But we must do that until we get a clean start and then will discontinue the practice.

Mr. HENDERSON. You do not take defaced silver at full value?

Mr. FIELDING. No. I would like to ask the hon. member for Kootenay (Mr. Goodeve) who spoke of American silver coming across to this country, whether the merchants and other business men accept that at par, or do they take in at a discount from those who bring it over and then deal it out at full value to their customers?

Mr. BURRELL. The American silver or gold which comes to our side of the line is always taken at par, but when we take our money over there, they charge a discount. That is one reason why our own money should be in circulation in our own country, and American money deported as soon as possible.

Mr. BLAIN. On the question of worn and defaced silver, I rather commend the government for its action; but while it is important that no man should have the right to deface our silver, an effort should be made by the government, even at some sacrifice, to gather in this silver and not allow it to continue in circulation. I do not think that the public generally know that they can take this silver to a bank and that the banks will accept it. If some regulation to that effect could be put in force and made generally known, the public would willingly take it to the banks. In my own section of the province of Ontario, that is not understood, and this worn and defaced silver keeps continually in circulation, very much to the annoyance and disadvantage of the public generally.

Mr. FIELDING. As regards worn silver, that will adjust itself very quickly. For defaced silver, we give 75 cents on the dollar, but the man who has a dollar's worth, wants to pass it at par, and, therefore, the public do not readily respond and send in their defaced silver. There is a curious fact I might mention, as we have been considering moral questions the last day or two, and that is that most of the defaced silver is found in the church Sunday contributions, and requests for its redemption have chiefly come from church treasurers.

Mr. HENDERSON. To what church does the hon. gentleman refer?

Mr. FIELDING. I could not say that without making undue discrimination.

Mr. RHODES. What has been said by the hon. member for Kootenay is true in a large measure of Nova Scotia, as the hon. minister is aware. But we have in addition to the American silver, trouble with Newfoundland silver even to a much greater degree. As a matter of fact, in any collection of 50-cent pieces in any retail shop, say 20 of them, you will find 15 to 17 Newfoundland coins. And in this connection we have this further trouble that many of the Newfoundland coins are twenty-cent pieces, which become confused with our quarters, and many are short of change in consequence. It would be a good thing if some means were taken by which these coins would be eliminated from circulation I regret that there is no provision in this Bill for a change in our five and one-cent pieces. As a matter of convenience, our five-cent pieces should be made larger out of nickel, and the size of our cent piece might be reduced. In addition to removing an inconvenience, we would be striking a distinctively Canadian note if we could coin Cobalt silver and nickel into five-cent and one-cent pieces. In the Mines Committee, the Deputy Minister of Mines of Ontario was examined about two hours. At the close of his evidence, he suggested that we should change the size of our five-cent pieces and one-cent pieces and make them out of nickel and cobalt, and pointed out that in doing so we would be striking a distinctive Canadian note.

Mr. FIELDING. I admit that the Newfoundland currency is undoubtedly an inconvenience, but we have such close and intimate relations with that colony that it is inevitable there will be a considerable amount of its currency circulated in our country. The 50-cent pieces of Newfoundland are not so much trouble as the 20-cent pieces, but of course there would be more profit in our making these pieces out of our own silver instead of having them made in Newfoundland. As regards the 20-cent pieces, they are frequently mistaken for our Canadian quarters, and thus cause loss and annoyance to many people. There is an impression that these 20-cent pieces are Canadian coin, but I have always found that they have the Newfoundland face. In order to avoid this confusion, I wrote the Prime Minister of Newfoundland several years ago suggesting that they might probably find it satisfactory to coin 25-cent pieces instead of 20-cent pieces, but they were wedded to the 20 cents, which suit them for some reasons I cannot remember, and we could not bring about a change. With regard to the issue of nickel and silver coins, we are now coining Cobalt silver to the extent of our demands on the mint. No doubt many of the coins made to-day are made of Cobalt silver, but the nickel problem is not so easy. Nickel is a Canadian product, but it is doubtful whether it is a satisfactory metal to be used for coin. The difficulty is that nickel is a white metal and easily confused with silver. A Frenchman would not make the mistake, which is very common on the part of tourists in France, of taking a 25-centime piece for a franc, because the Frenchmen are accustomed to the difference, but there is a constant disposition on the part of tourists to confound the two.

Mr. RHODES. There is absolutely no necessity for mistaking the two in France, as the silver coin has a milled edge and the centime has a smooth edge. But they go even further than that in Belgium. There they make a hole in the centre so there is absolutely no difficulty in distinction between the two. In other countries they make the nickel coin square in shape instead of round.

Mr. FIELDING. Going back to the oriental design.

Mr. RHODES. But since nickel is a distinctly Canadian product, I would like to see a coin produced from it.

Mr. FIELDING. Our coins are distinctively Canadian as we use Canadian silver and copper, and we hope to use Canadian gold.

Mr. SPROULE. I think there is a distinct advantage in having as few varieties as possible. We are quite familiar with what we have, and copper is Canadian just as much as nickel is. With regard to the dimensions of five-cent pieces, the change would make them more like the American and be objectionable in that respect. But I rose more particularly to draw attention to the question of redeeming defaced and mutilated currency. The hon. minister has said that one of the objections is that we made it a punishable offence to deface silver, and it did not seem consistent to provide for the redemption of such silver. But it seems to me there is a strong reason for its redemption and that is this. If a man gets a mutilated half dollar and he cannot get it redeemed, is not that a strong temptation for him to pass it off on some one else, especially when he gets it by accident. The hon. minister says that there is a large supply of mutilated money collected in the churches and they desire to have it redeemed. Is he going to put a temptation before the churches to get rid of it in some other way if the government will not provide for its redemption? I think that, in the interests of morality and honesty, the government should redeem it; there should be some means for its redemption. I would not make the discount very great.

Mr. FIELDING. That is exactly what we are doing. We are receiving it at a discount, and in so doing we are paying more than its intrinsic value. I do not want to lay that down as a permanent policy, but rather as a policy to be carried out until such time as we have collected that mutilated silver and put an issue of clean currency in its place.

Mr. SPROULE. Where can you get it redeemed? If you go to the banks they refuse it, and it would not be practical to send it to the Finance Minister.

Mr. FIELDING. The banks generally are aware of our willingness to take it and no doubt they will co-operate. We cannot of course reach the individual. The banks are the great channels of circulation, and when we arrange with them to take the worn silver at its face value and the defaced at 75 cents on the dollar, we are going as far as we ought to.

Mr. SPROULE. Is that being done?

Mr. FIELDING. Yes, we are getting it in and are re-coining it. Whether there is still a great quantity in circulation, I could not say. My reference to the churches is due to the fact that applications for this have come from the churches. The churches, for some reason or other, seem to get more of it than other people. We are doing what my hon. friend has suggested.

Mr. SPROULE. To my knowledge some of the banks refuse this kind of silver. If there is an understanding between the Minister of Finance and the banks to that effect surely they should redeem that silver at the price fixed.

Mr. FIELDING. My recollection is that we issued a circular to all the banks informing them that we were to redeem that silver at the value I have stated, and if the banks are not receiving that silver and sending it to us we expect that they would do it. No doubt the discussion to-day will have a good effect in giving the information to the public that we are redeeming the silver. The Finance Department does not advertise itself and probably the fact was not as generally known as it should be.

Mr. BLAIN. I have in my mind a bank that refuses to take defaced or mutilated silver. I would have very grave doubt that there is any bank in any centre of population in Canada that would voluntarily accept this defaced silver and send it back to the Finance Department.

Mr. DANIEL. Except in quantities.

Mr. BLAIN. They may take it in quantities, but I think the man who wants to exchange a small quantity of these silver coins should have the privilege just the same as those who do it on a larger scale. The government should make specific regulations so that the banks would bring this matter to the attention of their customers. If the banks refused defaced or mutilated coins on the conditions specified by the government, then if there was a regulation, the customers could draw the attention of the bank to it. Now, as to the churches, I think the statement of the Minister of Finance is rather a reflection on the church-going public. May I ask the hon. gentleman if he thinks the church-going public of Canada have been influenced by the general conduct of the government towards the moral questions of the day. If so, the hon. gentleman should pay attention to it and try to bring about a little improvement. Judging by yesterday's proceedings in the House the government is not likely to take any strong position in support of a moral question, but, however, that may be, on behalf of the church going public of Canada, I resent the insinuation thrown out by the Minister of Finance. There may be some

people in Canada who will put a defective coin on the collection place, but I do not think the church-going public as a rule would do such a thing. If any such thing does occur it is well to look for the source of the evil and perhaps it would be a hint to the government to change their attitude with regards to questions of moral reform.

Mr. FIELDING. I resisted the application at first, but I can tell my hon. friend that it was made again and again by the treasurer of a church. However, I shall not tell my hon. friend what church it was nor in what part of Canada it was located. As to the broader question, the fact that we have redeemed a very large amount of this silver coinage shows that some of the banks are carrying out our policy. If my hon. friend (Mr. Blain) will give me privately the name of the bank he refers to, I will communicate with them and see if we cannot persuade them to co-operate with us.

Mr. BLAIN. I shall be glad to do so. Does this arrangement cover all the chartered banks of Canada?

Mr. FIELDING. The government has expressed its desire to do this through the Bankers' Association and we have asked for their co-operation. I think we might reasonably expect them to co-operate.

Mr. SPROULE. You could make it an obligation on them.

Mr. FIELDING. I do not think that would be necessary.

Mr. SPROULE. We give the banks of this country very large and valuable privileges, and it is not too much in return to put an obligation of that nature upon them. I can see no objection in the world to this being made compulsory on the banks, if it becomes necessary to do so.

Mr. GEORGE TAYLOR. I would suggest to the Minister of Finance that he should issue a circular to all the banks stating what the government proposes to do. The government might issue a uniform notice which should be posted in all the banking houses of the country and then the customers would know about it. I believe that if notices were sent to the head office of each bank for distribution to all the branches the banks would readily comply with the wishes of the government and in a very short time our defaced silver coins would be got rid of.

Mr. FIELDING. The suggestion of my hon. friend (Mr. George Taylor) is a good one. My impression is that the banks have already been informed in general of our desire, but I will look into the matter more carefully.

Mr. LENNOX. You need not expect the banks or any one else to voluntarily do work for nothing, and if the Minister of Finance wants to have decent silver coins in circulation in Canada he would have to compensate the banks for receiving that silver and transmitting it to the government. Or in consideration of the many privileges the banks enjoy—not all of them by any means for the general advantage of Canada—I do not think it would be too much to enact that the banks should receive this silver and transmit it to the government under regulations specified by the Minister of Finance. However, it seems inconsistent that the government should make it a crime to mutilate coins and at the same time redeem those coins. I do not understand that if a young lady is presented with a bangle made of coins upon which there is inscribed an initial letter, the object of her devotion should be considered as guilty of a crime. I think the consistent way of looking at it is that it is the circulation of that which is not legitimately a coin that should be considered a crime.

Mr. FIELDING. After the bangle was presented it would cease to go into circulation.

Mr. LENNOX. I think all coins that are not properly and legitimately a medium of circulation should be recalled by the government in the most effectual way, and if instead of redeeming these coins at 75 cents on the dollar they were redeemed at 90 cents it would help a great deal to enable us to get rid of these defaced and mutilated coins. Anyway, I do not think that a 50 cent piece is of the intrinsic value of 50 cents when it is issued brand new.

Mr. FIELDING. The silver coin is a token coin and does not represent the face value.

Mr. LENNOX. Unless the mutilation consists of abstraction of portions of the material in a coin the intrinsic value of the coin itself does not come into question at all.

Mr. FIELDING. It would be reduced in value by punching a hole in it.

Mr. LENNOX. Making a mark or indentation on a coin would not decrease its intrinsic value. If the government redeemed these coins at 90 per cent of their face value it would help very much towards their withdrawal from circulation.

Mr. R. L. BORDEN. Is there any systematic defacement of our coinage in Canada, or is it most purely accidental?

Mr. FIELDING. I do not think it is systematic with intent to defraud, but, of course, if you punch holes in a large number of silver coins you could make money on the business. However, these defaced and mutilated coins have never been redeemed, and so there has been quite a large number of them in circulation. I am not aware that the thing has been done systematically for fraudulent purposes in Canada.

Mr. R. L. BORDEN. There was a practice of that kind in other countries years ago, against which were directed important provisions of the Criminal Code, but I have never heard of anything of the kind taking place in this country. Has any decision been come to by the government as to the design on the new gold coins?

Mr. FIELDING. The designs are in course of preparation and they are being finally prepared at the Royal Mint in England.

Mr. R. L. BORDEN. Will they be submitted to parliament?

Mr. FIELDING. If they are ready before the end of the session there would be no objection to showing them. Of course, on one side there must be the sovereign's head, as is the case with all British coins, and the present idea is to use the arms of Canada, with the value of the coin, and the date, as the main design on the other side.

Mr. R. L. BORDEN. The minister referred the other day to some difference in fineness between the gold coinage of the United Kingdom and the gold coinage of the United States. How does it happen that there is this difference between the gold coins of the two countries?

Mr. FIELDING. The British standard differs from the standard of almost every country in the world. The Americans have adopted the standard of continental European countries, and which was first adopted by France. In pont of fineness the British gold coin is somewhat better than the American in the percentage of fine gold in it, but when it comes to weight the relative value is in favour of the American coin.

Mr. R. L. BORDEN. The value is determined by the actual weight of pure gold in the coin?

Mr. FIELDING. Quite so.

Mr. GEORGE TAYLOR. I understood the Minister of Finance to say that if holes were punched in coins a certain amount of the material would be removed. I can assure the hon. gentleman that such is not the case, and if he gets some officer in his department to examine these coins which are punched he will find that 99 per cent of the punching does not take out a one-sixtieth part of a hair in weight. The whole material is left there, and it is simply expanded by driving the punch through.

Mr. FIELDING. That is quite correct, but there formerly was a practice in other countries of punching holes in coins so as to get the material and make a profit. I am not aware that there is any complaint of that kind in Canada at present.

Mr. BLAIN. Are the banks supposed to redeem mutilated copper as well as mutilated silver?

Mr. FIELDING. No complaint has been received respecting the copper. If the evil prevailed in connection with our copper coinage it would be dealt with in the same way.

Mr. BLAIN. There is a very great deal of defaced and worn copper coinage in circulation. That is not so often rejected. Still, I think it is a matter that should receive some attention, and, when the order goes forth that the banks are to receive defaced and worn silver, I do not think it would be out of place that a similar order should go forth with regard to worn and defaced copper also.

Mr. FIELDING. That point has not been brought to my attention hitherto. I will make inquiry about it.

On section 4, subsection 3, standard fineness and weight of coins of other denominations—remedy allowance—least current weight of gold coin.

Mr. R. L. BORDEN. Some technical expressions are used here. Would the Minister of Finance please explain?

Mr. FIELDING. The 'remedy' is the variation that may be allowed from the mathematically accurate weight of the coin. The mint authorities say that it is impossible, no matter how perfect the machinery you may have, to turn out a coin that will be absolutely the same weight as the standard. The variation may be an extremely small fraction, but it exists. Besides that, when a coin is in current use for a time it becomes worn, and the weight is changed. Of course, if it falls below a certain point, it ceases to be a valid coin.

Mr. R. L. BORDEN. If it falls below that variation it would not be issued?

Mr. FIELDING. No, but, after being issued, if it falls below a certain standard it ceases to be valid coin.

Mr. SPROULE. What becomes of it then? Suppose that it were refused?

Mr. FIELDING. We should have to deal with that, I suppose, by special legislation. Up to a certain point, we have the right to redeem, and we are redeeming, silver even at depreciated value. The English practice is, when a coin falls below what is called the 'least current weight' it may be sent in, and recoined, and the treasury bears the expense.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. FIELDING. With the consent of the House, I would like to refer again to section 4. A question was asked before the recess, and I am not sure that I gave the answer as clearly as I could wish. It was in regard to the remedy. The remedy, as the term is used there, refers to the condition of the coin at the time of its issue. There is a limitation within which it may be lawfully issued. Outside of that limitation it will not be issued, for the remedy has application to the coin at the time of issue. Then after the coin has passed into circulation, and becomes worn, we have what is called the least current weight. If the coin falls below that least current weight, which is set forth in the schedules of the Act, it ceases to be legal tender, but in that case it can be presented to the government and recoined, the government bearing the consequence of the ordinary wear and tear of the coin. That is the practice of the English mint, and we would naturally follow the English practice.

On section 6,

Mr. R. L. BORDEN. The bullion out of which these coins are produced will be Canadian gold?

Mr. FIELDING. Yes. Circumstances might arise when we would require to use other gold, but all things being equal, we will give the preference to the Canadian metal.

On section 9, British sovereign and gold coins to be legal tender.

Mr. R. L. BORDEN. This is a new section?

Mr. FIELDING. We have always regarded the British sovereign as a legal tender, and that was the intention of the Act. The present clause makes it more clear that the sovereign shall be legal tender at the rate of $4.86\frac{2}{3}$.

Mr. R. L. BORDEN. That does not precisely correspond to our own standard in gold coin.

Mr. FIELDING. The sovereign remains precisely of the same value, and we think it is not wise to make any change, although there is, as I have already explained, a fractional difference between that and our own gold coin.

Mr. R. L. BORDEN. Why not fix the value of the sovereign so as to make it correspond exactly with our own standard?

Mr. FIELDING. The difference is so slight that we think it is well to adhere to the old established value. This has been the value attached to the British sovereign for generations, and we think it is well not to disturb it. The difference is so fractional that it could not be conveniently expressed in figures. To be exact, the figures would be $4·8665 with various other figures to be added to give the correct expression. The recognized value is so near the real value that we do not think it worth while to make a change.

Mr. DANIEL. The Bill allows gold coin of Canadian mintage to be a legal tender for debts up to any amount, but that is not the case here with regard to the sovereign. A man cannot offer more than a certain amount of sovereigns in payment of a debt, whereas he can offer the full amount of gold coin of Canadian mintage.

Mr. FIELDING. The sovereign would be legal tender at the value fixed to any amount; there is no limitation.

Mr. HENDERSON. But if the British sovereign be at all times a legal tender at $4.866 does not something depend on the rate of exchange? I understand there is a certain rate of exchange where the value would be $4.86\frac{2}{3}$. But if it falls below that or goes above it, there is a variation.

Mr. FIELDING. The question of exchange does not enter into the value as respects transactions within Canada. We have a fixed rate, and all transactions within Canada would be based upon that rate, irrespective of the question of exchange which might arise in relation to other countries.

Mr. HENDERSON. I suppose gold always remains at one value?

Mr. FIELDING. Yes.

Mr. J. HAGGART. Gold does not remain at one value. It may have one value in this country to-day and have another value in another country. It all depends on where you want to send the greatest quantity of it to. Suppose that you owe gold in London, you have to pay the difference in the carriage of that gold over to that country. It may be 4·86, 4·87, or perhaps less, according to where the balance of exchange is, or what is virtually required to carry the gold to where the payment has to be made.

Mr. FIELDING. That is entirely correct as respects gold in any transaction abroad,

but it would not affect a transaction within Canada.

Mr. J. HAGGART. But my hon. friend was talking about payments in Great Britain.

Mr. FIELDING. This Bill does not pretend to regulate exchange.

Mr. GOODEVE. Is it the intention of the government to issue a Canadian sovereign, or will the five-dollar piece be the only gold coin issued?

Mr. FIELDING. There is no such thing as a Canadian sovereign. We have made some sovereigns at the Royal Mint. The regulations establishing the Royal Mint contemplate the use of our gold to be turned into sovereigns if the owner of the gold should so desire. I know that in several instances gentlemen having gold produced in Canada desired it to be converted into sovereigns, and as the operation was not a very expensive one, and the refining apparatus was equal to it, we have turned it into British sovereigns. We shall continue to do so upon the application of any owner of gold who desires it, but we do not intend as a general thing, to make British sovereigns.

Mr. GOODEVE. Not for general circulation?

Mr. FIELDING. They are British sovereigns minted under royal regulations, and they have in every respect throughout the world the same value as British sovereigns minted in London.

On section 10, foreign gold coins, proviso as to gold coins of the United States.

Mr. DANIEL. What is the meaning of the words 'tolerance or remedy' in that section?

Mr. FIELDING. Tolerance is the American name for the remedy or variation which will be allowed. The only material change in this clause is that formerly American coin was declared to be legal tender at a specific weight. The American laws allow a variation within a certain limitation in the case of these coins, but our Act did not take notice of it. Hence it was possible that we would refuse to receive the coin as legal tender even though it might be in full conformity with the standard of the United States. We make this slight change allowing for tolerance, or variation, or remedy, so long as the coin conforms to the established law of the United States.

Mr. J. A. CURRIE. When we are fixing a legal standard of gold, I think it would be just as well to maintain our own legal standard, which is a fiat standard, and not establish a fiat standard for foreign coins Gold coins would then be purchased exactly by weight. Everybody knows that gold is a commodity. This fixes an American coin as having a certain standard of value with our own. That means that unless there is a certain diminution of value by abrasion, &c., that money is a current coin in Canada. It makes an American five-dollar gold piece a current coin in Canada, irrespective of whether it is worn or fresh I do not think that any of the great countries of the world standardize other country's coin by giving it a fiat value. Gold is bought and sold like any other commodity. It is not a coin of each country having a standard of fineness like fiat money. I do not wish to oppose the Bill in any way, but I think the minister will agree with me that it would be well to have it as I suggest.

Mr. FIELDING. I think it is arguable, that if we had had gold coins in Canada in quantity in the past, American coins might never have been made legal tender, but they were legal tender in the old province of Canada, they continued as legal tender under the laws of confederation, and they so remain. I think that at the present time, at all events, it would not be wise for us to disturb that condition. Currency matters require to be very delicately handled. I would imagine that it is quite probable that within a few years, if we had our own gold in Canada in general and abundant circulation, it might be well to remove this clause from our law, but for the present I think we would do well to keep the American coin as a standard, just as it has been ever since the beginning of confederation.

Mr. J. A. CURRIE. Do they propose to accept your coin as standard?

Mr. FIELDING. No, we do not put it in to please them; we put it in to please ourselves.

Mr. J. A. CURRIE. They will not take a British sovereign as standard.

Mr. FIELDING. I think it is quite possible. No country can be condemned if it establishes its own laws in that respect. We are not doing this to please the American authorities. They would not object if we struck it out. I am not sure but that if we struck it out they would not approve, because every country likes to keep its own gold within its own borders. Inasmuch as American coins have been legal tender in Canada since the beginning of our country as a Dominion, it would not be wise to make a change now, but when we have gold coin of our own in abundance, perhaps the need of this American gold being taken as legal tender will cease.

Mr. R. L. BORDEN. I would think it would be a rather advantageous thing if the coins of one country could be received in the other. Of course, we have no con-

trol over that. Any one who has travelled in Europe knows that in many cases the gold coinage of one country is received at its face value in other countries. French gold coins and notes are received at their face value in Switzerland.

Mr. FIELDING. That is one of the reasons why, as I have already explained, I thought it desirable that our gold coins should correspond in intrinsic value with the American gold coins so that they would be interchangeable and there could be no objection on account of their value. The two coins will be alike in value, and if there be any objection to ours, it will not be on account of its value.

Mr. HENDERSON. We have heard what the minister has said about our gold being refused in the United States. He seems indifferent as to whether the Americans should take it or not. It is a matter of very considerable importance. We know there is a great deal of trouble in connection with this matter. Persons travelling in the United States cannot make use of Canadian money. The Americans refuse to accept it. Even the great railways that ought to know that our $5 and $10 are guaranteed by the government, and are just as good as our Dominion currency, do not seem to be familiar with that fact. It would be a great convenience to people from Canada travelling in the United States if it were understood that our gold as minted here in Ottawa was legal tender in the United States. While the minister is negotiating in other matters with the people of the United States, he might bring this about.

Mr. FIELDING. Such an interchange would certainly be desirable, and it is quite within the bounds of possibility that it may be brought about. But the first thing is to get our gold coin established and let other people realize that it is just as good value as their own. Then we might ask them to accept these coins at their par value.

Mr. J. A. CURRIE. The method of weighing adopted by all other nations except the United States, Great Britain and ourselves is the metric method, and I think that ought to be adopted here. I understand that the metric system is legal in this country. Why not add the metric equivalents to that of Troy weight in the schedule? All assay calculations, in the matter of gold and silver are made on the metric system.

Mr. FIELDING. We are following the example of the royal mint, and in matters of this sort, we will do well to follow as closely as possible the practice of the British mint.

Mr. J. A. CURRIE. That is quite right, but the metric system is legal in this country and not in England. It would facilitate the work of the mint if our standards were fixed by metric equivalents as well as by Troy weight. I think the assay officers would tell the hon. gentleman that.

Mr. FIELDING. In the preparation of this Bill we consulted the officers of the mint and endeavoured in all respects to adapt ourselves to the modern practice, and our officers take that view of the case.

Mr. J. A. CURRIE. If the hon. gentleman would ask his officers, I think that what I suggest would be a great convenience. I know that all those scales for weighing assays are based on the metric system. An assayer can calculate much more rapidly by metric system than by Troy weight.

Mr. FIELDING. That may be possible. We have had a message from the Deputy of the Governor General informing us that he will be in the Senate at half past three for the purpose of assenting to certain Bills. I would therefore move that the committee rise, report progress and ask leave to sit again this day.

Progress reported.

THE ROYAL ASSENT.

A message was received from His Honour the Deputy of His Excellency the Governor General by the gentleman Usher of the Black Rod as follows:

Mr. Speaker, His Honour the Deputy of 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.

And having returned,

Mr. SPEAKER informed the House that his honour the deputy of His Excellency the Governor General had been pleased to give in His Majesty's name, the Royal Assent to the following Bills:

An Act respecting the Algoma Central and Hudson Bay Railway Company.

An Act respecting the Erie, London and Tilsonburg Railway Company.

An Act to incorporate the Weyburn Security Bank.

An Act respecting the Grand Trunk Railway Company of Canada.

An Act respecting the Montreal and Southern Counties Railway Company.

An Act respecting the Northern Empire Railway Company.

An Act respecting the Dominion Atlantic Railway Company.

An Act respecting the Calgary and Fernie Railway Company.

An Act to amend the Exchequer Court Act.

An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.

An Act to amend the Government Annuities Act, 1908.

An Act for the relief of Archibald Laurie.

An Act for the relief of Bernard Shea.
An Act for the relief of Clara Louise Holden.
An Act for the relief of James Albert Green.
An Act for the relief of Alexander Augustus Barthelmes.
An Act for the relief of Cecilia Marie Pringle.
An Act for the relief of Ada Ann Reed.
An Act to incorporate the Independent Order of Rechabites.
An Act respecting the Richelieu and Ontario Navigation Company.
An Act respecting the British North American Mining Company.
An Act to incorporate the Saskatchewan Central Company.
An Act granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1910.
An Act to incorporate the Pine Pass Railway Company.
An Act to incorporate the Ottawa, Montreal and Eastern Railway Company.
An Act respecting the Bay of Quinté Railway Company.
An Act to incorporate the Catholic Episcopal Corporation of Timiskaming.

CURRENCY ACT AMENDMENT.

House in committee on Bill (No. 195), respecting the currency.—Mr. Fielding.

On section 12, no other coins to be legal tender.

Mr. J. A. CURRIE. I would again urge the minister to change the five-cent coins, because it is a universal complaint that the five-cent piece we have is so small that it is easily lost, and whilst it is a very nice coin it would be a far greater convenience if we employed base metal and adopted some system such as they have in other countries for that class of coin. I also think the one-cent piece contains far too much metal. There is no intention on the part of the government to say that the copper contained in it bears any relation to the value of the coin, and it is exactly the same size as a 25 cent piece, so that it is difficult to distinguish them. Each denomination should be of a different size, so that the coins can be distinguished by touch. Every one has been looking forward to a change when the minister was revising the Currency Act, and I think public opinion is strongly in favour of such a change.

Mr. FIELDING. I have not heard much evidence of a general desire to make these changes, and I must confess that I have in some respects what I may describe as a wholesome conservatism and adherence to old established things. My hon. friend's touch is not as keen as it used to be; I have put the 25 cent piece and the cent together and they are not the same size.

Mr. SPROULE I have been spoken to in respect to this once or twice in view of the expected changes, and my experience is the reverse of the hon. member for North Simcoe (Mr. J. A. Currie). I would doubt the wisdom of making any change from the coins we are familiar with.

Mr. J. A. CURRIE. I do not know of any country with such a small silver coin as ours. The Americans abolished it.

Mr. FIELDING: They have in England a three-penny piece about the same size.

Mr. J. A. CURRIE. It is a very rare coin.

On section 21, appointment of assay commissioners, examination, and test, &c.

Mr. FIELDING. In England they have what is called the trial of the Pyx which takes place at Goldsmith's Hall, and they utilize for this purpose the services of the Goldsmith's Company. This is a trial to test the correctness of the coin. We have not in Canada a corresponding organization, and we propose once a year to appoint three gentlemen who shall test the coin, and guarantee to the public that it is of correct weight and quality. It follows in substance the English practice, but the method is different, because we have not the same organization here.

Mr. J. A. CURRIE. To whom do they report?

Mr. FIELDING. To the Governor in Council, and I suppose like any other public document it would be brought before parliament.

Mr. J. HAGGART. What is to be their remuneration?

Mr. FIELDING. The compensation for this service in England takes the shape of a public dinner at Goldsmith's Hall, but we have not yet determined the compensation to be paid to the gentlemen in Canada.

Mr. R. L. BORDEN. Give them a dinner at the parliamentary restaurant.

Mr. FIELDING. That might do.

Mr. J. A. CURRIE. Is not the test made in the presence of the officials of the House of Commons, and the House of Lords, is it not rather a state function in England?

Mr. FIELDING. I think it is the dinner that is the state function.

On section 22, Dominion standard Troy ounce to be standard of weight, weights to be verified and approved.

Mr. J. A. CURRIE. Where is this standard Troy ounce to be checked or verified? In Great Britain? I understand that the American standard Troy weight has recently been tested and found a little off. Will our test be in Goldsmith's Hall in England, or what is to be the standard?

Mr. FIELDING. The Minister of Inland Revenue (Mr. Templeman) is not present, and so I cannot offer any explanation further than that we refer to the standard weights of the Inland Revenue Department as established by the Weights and Measures Act.

Mr. J. A. CURRIE. But would the standard weights of the Inland Revenue Department, such as are used ordinarily throughout the country, be sufficient for the purposes of the Finance Department? I should think that the standards in this matter should be under control of the Finance Department.

Mr. FIELDING. The Minister of Inland Revenue has these standards for all purposes, and we simply declare the standards thus established shall be accepted for the purposes of our department.

Mr. J. A. CURRIE. And where is this Troy weight fixed?

Mr. FIELDING. I can only say that it is fixed by the Weights and Measures Act. Further than that, I cannot answer.

On the schedule,

Mr. FIELDING. I want to make an addition to the schedule to correspond with the decision already reached by the committee respecting the creation of the silver dollar. In the schedule as it is at present, there is no reference to that point, and, as the silver dollar is to be made, it must be provided for in the schedule, like the rest. The amendment I propose is to insert in the schedule the following:

Under denomination of coin—silver ; one dollar, standard weight 360 grains; remedy allowance—weight per piece; 1·50 grains; millesimal fineness, 4.

Mr. PERLEY. May I ask the Minister of Finance why it is he wants to coin a silver dollar?

Mr. FIELDING. We have already had quite a discussion on that point. In brief, representations were made to me by hon members from British Columbia both in this House and in the Senate, that the creation of a silver dollar was very desirable from a British Columbia point of view, and I have found by experience that there is a taste for the American silver dollar on the Pacific side. I see no reason why, there being a demand, we should not supply it, rather than use the American dollar. If our dollar note is not sufficient, and there are people who want a silver dollar, I think it is good business to furnish it.

Mr. J. A. CURRIE. I would suggest to the minister the coining of the Mexican dollar, as it is called, with a view to enable Canada to export silver to China, Japan and other eastern countries. Hong Kong or Mexican dollar is the standard in silver countries. And, as we hope to take a prominent place in the trade of the Orient, if we are to have a silver dollar, I think we should have a coin that will be of use in that trade. We are large producers of silver, and these eastern countries will furnish a great market. I think it would be much better to make a coin of the exchange value of the Hong Kong or Mexican dollar than one that would be useful in exchange only in Canada.

Mr. FIELDING. I am not much enamoured of the silver dollar. At present we want to confine ourselves to the use of it in Canada. The other question that the hon. member has raised is a much larger one and one upon which I would not care to enter at present.

Mr. PERLEY. I do not wish to take up time if this matter is already decided. But I may remind the hon. Minister of Finance (Mr. Fielding) that in the United States silver dollars are piled up unused—they cannot circulate them.

Mr. FIELDING: I can assure my hon. friend (Mr. Perley) that the law of supply and demand will govern that. We have no desire to coin them unless there is a demand for them, and I realize that that demand may arise only on the Pacific coast.

Mr. J. HAGGART. Perhaps the information I am about to ask has already been given. I would like to know what profits the government made last year from the mint, and how these profits compare with what we should have made if we had not had a mint. It is mainly on the silver coins, I believe, that we make a profit in the minting operations. Formerly, we had an arrangement with the imperial authorities that they were to coin for us. Had we not changed that and established a mint here, what would have been the difference in our profits?

Mr. FIELDING. The information asked for has not been given to-day. But a return was brought down some time ago, and will be found in the records, which, I think, covers the whole matter. In general terms, the position is this: while there is a large profit in the operation of the mint, it is undoubtedly a fact that if we were content to have our coins made as in former years, in England, we should make a larger profit. That I state unhesitatingly. But, on the same principle, no doubt, we could get our Dominion notes printed more cheaply in England than here, yet it was thought that there were good reasons why we should have an establishment for that purpose in Ottawa. The same reasons extended to coinage lead us to think it is better to have Canadian

coins made in Canada. The making of them is profitable, not as regards gold—there is no profit in coining gold—but in the silver coins and bronze coins. But, as a mere matter of profits, we should do better by having our coins made in England.

Mr. J. A. CURRIE. The current impression is that the coins of this country were formerly minted at the royal mint in England Is it not a fact, however, that many of these were coined by British contractors in Birmingham and other places who make coins for other countries, and not in the royal mint?

Mr. FIELDING. Our orders were invariably sent to the royal mint. But in several instances, because the royal mint was too busy or for some other reason, they turned our orders over to contractors in Birmingham. So, in that sense, the hon. member's statement is practically correct.

Mr. PERLEY. Has the hon. minister considered any design for the gold coins?

Mr. FIELDING. The design is not finally adopted. It is being prepared in the royal mint in England. The elements will be, first, the King's head, as a matter of course, and the arms of Canada, will be used as the chief features in the design. These, with the designation of the coin, the word 'Canada', and the date are the elements of which the design is being made up.

Mr. PERLEY. It is necessary that we should have some name for the $5 gold piece, and the design has a good deal to do with the name. Every country has a special name for its ordinary gold piece, and we should have some short name.

Mr. FIELDING. What do you call the sovereign?

Mr. PERLEY. I call it a sovereign. It is called a napoleon in France, an eagle in the United States, a crown in some parts of Europe, and there must be a short name for the $5 gold piece in Canada, for instance, the beaver.

Mr. FIELDING. The design at present proposed is the King's head and the arms of Canada. While the beaver has elements of value as an industrious animal, I am not quite sure that it is a thing of beauty.

Mr. PERLEY. The minister may be sure that the general public will give a name of its own to the new gold piece, and he might keep that in mind when forming the design, if he does not like the beaver.

Mr. J. A. CURRIE. Is it the intention to follow the new American practice in the die? The old American coinage is always in relief. They have reversed that in the new coin.

Mr. FIELDING. I believe it was found that the American gold piece, while beautiful in its design, would not stack, and for certain purposes that was a defect in the American currency.

Mr. JAMESON. When the minister speaks of the arms of Canada, does he mean the arms of Canada before confederation, or does he mean the arms of the Dominion as they now exist?

Mr. FIELDING. On a matter of so much importance as a coin, we would have to use the authorized arms, and for the present we would not include a representation of all the provinces. But no doubt before long we will have to have a new issue in which the new arms will be used. For the present we only take the authorized arms.

Mr. J. A. CURRIE. I would suggest to the minister that a wheat sheaf on the gold coin would be a good advertisement for the country.

Bill reported, read the third time, and passed.

SUPPLY—THE FRUIT TARIFF.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. BRADBURY. Before you leave the Chair, I desire to call the attention of the Minister of Finance to a matter of considerable importance affecting the gardeners of Manitoba, and I presume of all Canada. I am in receipt of a letter from the reeve of the municipality of Kildonan, in my county, who is also the secretary of the Agricultural Society of that municipality. He writes as follows:

> You will notice by the papers that the wholesalers of the west have petitioned the government to remove the duty from fruit and green vegetables coming into Canada between December 1 and July 31. Our gardeners protest against the time being extended past June 15, as our stock grown here is in by that time. If this goes into force it will put a lot of our gardeners out of business. We are sending a small petition against it to the government to-day. As the time is short we cannot wait to go to everybody. We want you, when it comes up, to do what you can for us, and we think the 15th of June should be the latest. Will inclose article out of paper.

I have the inclosed petition here, which I presume the minister has received from the wholesalers of the west, and I will read a part of it. It is addressed to His Excellency, Sir Wilfrid Laurier, making, as you will see, a little mistake at the beginning:

Sir,—Your petitioners represent the principal fruit and vegetable importing concerns in western Canada.

Little fruit is raised in western Canada, and the western cities are dependent upon the United States for all the early fruit and vegetables. These come from as far south as Miami, Florida. During the several months of the year before it is possible to grow vegetables or fruits, a large quantity of both are imported; but the freight charges coupled with the duty, place the consumption beyond the purse of the average householder, and these products become a luxury when they are really a necessity.

Our desire is—and we believe it to be a reflex of that of the western country at large—that the duty be removed from these products at such times when they cannot possibly come into competition with home grown articles. We believe that the adoption of the following schedule would be of distinct advantage, supplying the people of western Canada with some of the necessities of life which the country, by reason of its geographical position, is not able to provide at those times.

Schedule.

Peaches, pears, plums and apricots on free list from January 1 to October 1.

Cherries, on free list from January 1 to June 30.

Grapes, on free list from December 1 to August 31.

Tomatoes, and green vegetables, cabbage, cucumbers, celery, asparagus, rhubarb, green beans, cauliflower, on free list from December 1 to July 31.

It is this last paragraph, Mr. Speaker, in which I am most interested, because it affects the great garden industry in our part of the country. I may say that two-thirds of the gardens in the west are situated in my own county. The gardeners have a large amount of money invested in this industry, and while the wholesalers are petitioning apparently in the interest of the consumer, I have grave doubts, if their petition was acceded to, that the general consumer would benefit very much. You simply place in the hands of the wholesaler a power to force the gardeners of our own country to sell to the wholesalers at a reduced price when their stuff comes into the market. I want to protest strongly against the government acceding to the request of the wholesaler as regards the admission of tomatoes, green vegetables, cabbage, cucumbers, asparagus, rhubarb, green beans and cauliflower being placed on the free list from December 1, to July 31. The gardeners seem to be quite willing that they should be placed on the free list, but not later than the 15th of June, and plied with these articles by our own gardeners. All the way from Winnipeg down to Selkirk the gardeners have established a very large business. The gardener really makes his profit on the early vegetables, and the wholesalers apparently want the duty removed so that American stuff may be brought into competition with our garden stuff just at the time when there is any money in it for the gardner. I appeal to the minister on behalf of the gardeners of Manitoba and, I presume, the whole of Canada that they shall receive fair protection against any foreign importation of vegetables. Last year the question was broached by some of the gardeners about asking the government to put an increased protection on some of these vegetables that come from the other side—cabbage and such like—and I hope the government will take this into their serious consideration and see that the American producer is not allowed to interfere with the gardeners of this country.

Mr. BURRELL. I am quite persuaded that the minister or the government would not accede to or deal with a proposition of that kind lightly. We are aware of that and certainly I would utter a very strong protest if a matter of that kind were dealt with without the fullest consideration of the other side of the question. As a matter of fact a disturbance of the duties referred to by my hon. friend would interfere decidedly with the enormous acreage of fruit in our own province of British Columbia where we are building up a tremendous industry and considering that the whole schedule of the American tariff is against us so strongly that we cannot send any of these commodities into the United States it is quite palpable that we could not, without the strongest protest, have such a recommendation as that listened to without the fullest consideration.

Mr. STAPLES. My hon. friend from Selkirk (Mr. Bradbury) says that he represents two-thirds of the market gardeners of Manitoba. He may have something that will support that statement but I represent a constituency that comes up close to the city of Winnipeg, and I think that possibly there are as many market gardeners in the constituency of Macdonald as there are in Selkirk. Therefore, I want to endorse what my hon. friend from Selkirk has said on behalf of the market gardeners of my constituency.

Mr. FIELDING. I have received, within a few days, a copy of a petition dealing with the condition explained to the House by the hon. member for Selkirk. The petition was from the importers. It was followed somewhat rapidly by a communication from the fruit growers of the Niagara district protesting in the strongest terms against what was proposed by the importers of Winnipeg, and now we have the additional protest of the hon. gentleman. What has been said to-day indicates clearly that it is a much disputed matter, to which there are certainly two sides, and I can assure my hon. friends that at this stage of the session we would not undertake to make any disturbance of the tariff

on that matter. What has been said will be a fair matter for inquiry and for any future action, but nothing will be done at the present session.

Mr. J. A. CURRIE. If the Minister of Finance is going to listen only to the views of the importers of this country the rest of the people might as well close up shop and go out of business. The importers are interested in importations and not in the local or native industries, and the minister on these matters apparently is prepared to give the importers a more attentive ear than the poor man who is trying to make a living. The chief grievance of these fruit growers of the Niagara district applies to all the growers of small fruits and the market gardeners of this country. These men of Canada are just as much entitled to justice as are the importers of Winnipeg or any other city who are endeavouring to make a big lot of money out of importing foreign fruit in cold storage. This is a matter of placing the handling of all our vegetables and fruits in the hands of the cold storage trusts, and I think we should stand by our own people on a question of this kind and not in favour of the importers as the minister does.

Mr. BLAIN. I would like to add a word or two on behalf of the market gardeners of my county and to urge that no action may be taken without an opportunity of being given the gardeners of that section to lay their case before the government. I am quite sure that no action will be taken. I desire to say just one thing further and that is that the people of Canada must bear in mind that the market gardeners are producing many things now that we never thought would be produced in Canada many years ago. They are producing large quantities of products now that heretofore were imported from the United States. Within this very year, in my own time, some men have given up their ordinary avocations, have taken up pieces of land and are going especially into the market gardening business for the purpose of raising early products which are used in our houses and have a large sale in the early part of the year. Therefore, I would ask that the government, in the consideration of the tariff question as it affects the farmers and market gardeners of this country, would keep in mind the fact that both farmers and market gardeners are able to produce a great many things to-day that in years back they could not produce at all, and I am quite sure that so long as matters are left steadfast they will produce everything at almost any time of the year that the people of this country will require.

Mr. R. L. BORDEN. I would like to ask the Minister of Finance when we may expect the information which was asked for with respect to the proposed changes in the tariff?

Mr. FIELDING. It is being printed and I would hope to have it on the table on Monday.

Motion agreed to and House went into Committee of Supply.

Civil government—Post Office Department—salaries, $546,260.

Mr. ARMSTRONG. Does the Postmaster General intend to increase the salaries of the railway mail clerks, and if not, why not?

Mr. LEMIEUX. That question was put by the hon. member for Toronto (Mr. Macdonell) yesterday, and my answer appears in 'Hansard.' Last year I gave a general increase to the lower classes of the outside service, sorters, stampers and labourers, and this year I thought we should give an increase to the higher classes, who had not received any increase since confederation. Some years ago the railway mail clerks received a substantial increase, and as there is a general demand for higher salaries on the part of the city office sorters and clerks, the question arises whether we should increase the one and not the others. I have decided, after the session, to examine the various merits or demerits of the claims put forth, and at the beginning of next session, I hope to be able to introduce legislation on the matter. My intention is to bring the outside service in the larger city post offices under the Civil Service Act. We can do so under an order in council, but preliminary to that we have to adjust the salaries so that the different classes of employees may fall into a proper salary classification.

Mr. DANIEL. Is the minister in a position to state now that he will bring the outside post office service under the Civil Service Act and rearrange the salaries?

Mr. LEMIEUX. Speaking for myself personally, it is my intention to do so. The department is studying the problem, which is a very difficult one.

Mr. STAPLES. What action has the minister taken in regard to the application for a post office at Kilmant and Shacleton, which are situated outside of Winnipeg? In 1906, this post office was recommended by Mr. Riddel, who being the defeated candidate, apparently had the patronage, and every year since the minister has had it brought to his notice. Last year the minister assured me that he was going to give the people of that district a post office, and that it would not be necessary for me to bring the matter up in the House. A post office is certainly required in that locality. There are no post offices, from Winnipeg west about 15 miles, on the south side of the river, and while there are post

offices on the other side of the river at certain seasons of the year, the people cannot cross and cannot get their mail unless they go through the city of Winnipeg, a distance of 8 miles. A return which has been brought down, gives the correspondence addressed to the minister as to the necessity for this post office. The whole trouble has been over some little political disappointment, and the person who had the patronage of that constituency advised that there should not be a post office there. There is no doubt in my mind; there cannot be any doubt in the mind of the minister if he has read the correspondence, that there is great necessity for a post office at that point. Is the minister going to give the people of this locality a post office, which they have so long been asking for? Might I also ask, now that Dr. Thompson, the defeated candidate, is dead, who has the patronage of that locality? As the defeated candidate has passed to his reward, might I, as the representative of that constituency, have a little to say in the distribution of the patronage and towards securing what the people really require?

Mr. LEMIEUX. I should have informed my hon. friend about a fortnight ago, that a report had been sent to me by Post Office Inspector McLeod, of Winnipeg, which I have approved. At the request of the hon. gentleman (Mr. Staples) I asked for a special report as to the necessity of the office referred to, and the inspector recommended the opening of an office, which, I think, is at Kilmant Park, but I do not know that the office has been opened under that name, but from Mr. McLeod's report, the new office, which has been opened, will serve the hon. gentleman's purpose, and especially serve the needs of the patrons in that neighbourhood. We have closed one office on the other side of the river, and by equalizing the distances between the neighbouring offices, according to Mr. McLeod, we are giving satisfaction to the patrons concerned. If the office has not been opened, it will be in a day or so.

Mr. STAPLES. I have had no advice that the office is opened, but I am pleased to know that the minister has given instructions that it should be opened.

Mr. LEMIEUX. As regards the patronage, I know that Mr. Thompson, who was the Liberal candidate, is dead, as we generally do in all these matters, we referred the question to the inspector. Of course, when a postmaster is to be appointed we generally ask our political friends, we are human enough for that, but as to the location of a post office or its necessity we take the advice of the post office inspector.

Mr. BLAIN. Has my hon. friend also a patronage list?

Mr. STAPLES.

Mr. LEMIEUX. I do not know of any in the department. My hon. friend himself asked me last year to open an office which he thought was necessary in his constituency. I looked into the case, got a report, and opened the office at his request.

Mr. PUGSLEY. Perhaps he is on the list.

Mr. BLAIN. I appreciate very much the kindness of the department and the minister in opening an office in my county, and I may say that his friends as well as my own appreciate that very much. It would not be open to criticism from any class of people, it is meeting the wants of the people, and I am sure the opening of that office will stand to the credit of the government. I suppose my hon. friend does not put any advertisements in newspapers?

Mr. LEMIEUX. Yes, I think we do.

Mr. BLAIN. How is that list?

Mr. LEMIEUX. I could not give it offhand. We could not have a patronage list, properly speaking, for the very reason that according to law I am obliged to advertise in each case when there is a new mail contract to be awarded, if it is for more than $200, unless when a contract has been going on for some years to the satisfaction of the department and a renewal is to the interest of the department. I could not give a list of the papers in which the advertisements appear because that is done through the Department of the Secretary of State.

Mr. BLAIN. Does my hon. friend lay down a principle that where a paper has the largest circulation in a district, advertisements should be inserted in it regardless of its politics

Mr. SPROULE. He advertises by posters.

Mr. BLAIN. Oh, no; he inserts these advertisements in the newspapers as well.

Mr. LEMIEUX. Very little, we advertise very little; as the hon. gentleman from Grey pointed out our advertisements are placarded in every post office and country store and in Quebec at the church doors. I may say that if perchance there is an advertisement to be inserted I am human enough to give the preference to a good Grit paper.

Mr. BLAIN. Why?

Mr. LEMIEUX. Because I am a man and not an angel. I must say, however, that the absence of a Grit paper would necessitate the advertisement being put in a good Tory paper, and that has happened on more than one occasion.

Mr. BLAIN. I am referring to advertisements calling for tenders for the renewal of contracts or for new contracts. I can

produce Reform newspapers from my own county containing advertisements calling for tenders to be sent in to the department. When my hon. friend states that the custom is to print a circular and post it up in the post offices, and that is the sum total of the advertisements, I hardly think he will venture to say that it is the government policy.

Mr. LEMIEUX. That is generally what we do.

Mr. BLAIN. It would be interesting to have a list of the Conservative newspapers in which he has inserted advertisements in the past year.

Mr. LEMIEUX. I have two in my mind just now. In the northern section of the Ottawa district, some new contracts were awarded to change the service from bi-weekly to tri-weekly, and from tri-weekly to daily. There are only two papers in that district, one English, and one French, and both Conservative—the Pontiac 'Advance' and 'Le Pionier de Nominingue'. I did not know that these papers were in existence, I have not time to read them, but my hon. friend from Labelle (Mr. Major) stated very frankly that there were no other papers in that district, and advised me to send the advertisements to these two. Here are two Conservative papers to which I sent advertisements. The list is not very long, and I mention these from memory.

Mr. BLAIN. That is a very frank admission, and I may congratulate the hon. minister on his list. It is larger than that of the Department of Public Works, which was handed across the House the other evening, and which was blank. My hon. friend required to advertise, and finding there were no Reform newspapers in that locality, he gave the advertisements to the only two papers published there. That is a little better than the record of the Minister of Public Works, and therefore, I offer the hon. gentleman my congratulations.

Mr. LEMIEUX. The district is a large one, sparsely and wildly settled.

Mr. STAPLES. I would like to know who the postmaster is to be.

Mr. LEMIEUX. There are two St. Charles, and I am afraid to confuse the two. One was abolished to make way for the other. If my hon. friend will put a question on the order paper, I will give him the information.

Mr. STAPLES. Did you call for tenders?

Mr. LEMIEUX. If the service is opened, we must have. If my hon. friend will put a question on the order paper, I will give him an answer.

Mr. STAPLES. The minister cannot give information as to whether he called for tenders or not, but simply states that he is going to establish a post office there.

Mr. LEMIEUX. We may not have called for tenders if it is the extension of an existing contract. In that case the contractor takes the new contract at a pro rata rate.

Mr. STAPLES. The people of that district have been suffering for the want of a post office. They had the promise of the minister a year ago, and now he tells us he is going to give that post office. I presume, therefore, that beyond doubt there will be a post office established immediately in that district.

Mr. LEMIEUX. I have not the papers under my hand just now, but I can assure my hon. friend that not later than two or three weeks ago I approved a report signed by Mr. McLeod, of Winnipeg, our inspector, in favour of the establishment of a post office such as was requested by my hon. friend at the end of last session, and I know that we decided to dispense with one of the St. Charles post offices. There were two post offices, and there was a quarrel on that side of the river as to the location. Following the suggestion made by the inspector, I dispensed with one of these and equalized the distance between the two, so as to give the people the office they wanted.

Mr. STAPLES. Then we may take it for granted that beyond doubt that post office will be established immediately. I would like to ask the minister what action he has taken in response to the petition I sent him a short time ago from the citizens of Rosedale asking that a daily mail be established in that district. The present service is largely temporary, and has only been tri-weekly, or possibly twice a week for Levingham. The minister has that petition in his hands at present. The people are anxious to have a daily mail service put on that branch line.

Mr. LEMIEUX. I will see that my hon. friend is satisfied.

Mr. EDWARDS. I do not know that I want to oppose the necessary increases to salaries, but inasmuch as the hon. the Postmaster General has said that he accepts the reports of his inspectors of districts, as to whether or not a post office should be granted, or a more frequent service, I must assume that with regard to the petition which I presented to him asking for a better mail service in the county of Frontenac, he was influenced in his decision by the report of the inspector of that district. If I am right in that conclusion, the sooner he gets a new inspector for the district the better for the people. I want to point out to him that in my judgment his department is giving more attention to the mail service in the cities and large cen-

tres, than to rural districts, and that he is giving more attention to the mail service in other provinces than the province of Ontario, especially the eastern part, in which the county I represent is situated. In the county of Frontenac you have some fourteen post offices which give the department a revenue of $5,901, according to the report for the year 1908. The salaries and commissions paid the postmasters amount to $3,914, showing a surplus revenue of nearly $2,000. To form an idea of the importance of these offices, the postal notes and money orders paid amounted to over $27,000, and those issued amounted to $84,000. There are some sixty-eight to seventy non-accounting offices from which the government receives a revenue of $5,600, and pays in salaries and allowances some $3,609. The total revenue received by the government from the county of Frontenac post office is $11,512, and the total amount paid in salaries and allowances is $7,523. This leaves a surplus of revenue over salaries and allowances from the county of Frontenac alone of nearly $4,000. Now, I wish to call the attention of the Postmaster General to the fact that, notwithstanding the surplus of his department of which he boasts, a considerable portion of the surplus comes from the county of Frontenac. And I do not think he is using the people of Frontenac fairly. On the non-accounting post offices, I can name five with an average revenue of over $250, and the average salary of which is only $144, or a total revenue of $1,251, and an outlay for salaries of $723. And yet, for some unaccountable reason, the larger powers of issuing postal notes, and money orders are withheld from these offices, very much to the inconvenience of the people. I could give the hon. gentleman a number of post offices in my county from which the government is receiving quite a handsome surplus over salaries and allowances. If you take into consideration the revenue received by the Post Office Department from the offices in the county of Frontenac, and consider, on the other side the amount paid in salaries and allowances to the several postmasters, and add to that the cost of the mail service in the county of Frontenac of course that cannot be done with perfect accuracy, because the mail routes overlap county boundaries—I doubt if there is any county in the Dominion of Canada that has so little reason to thank the Post Office Department for what is done for it as the county of Frontenac. In considering the mail service, it seems to me that little account is taken of the public needs in deciding whether there should be increased frequency of service or not. In many cases, post offices that have a tri-weekly service show very conclusively, by the revenues produced, that they are more entitled to a daily service than many places that now have a daily service. Let me give an instance. The hon. Postmaster General (Mr. Lemieux) will recall the fact that I asked him some time ago to give the post office at Latimer a daily instead of a tri-weekly service. I know that the Postmaster General is a very busy man, and I must say that whenever I have brought a matter to his attention, he has given me, apparently, a very attentive hearing. I can only suppose that the facts in this case have slipped from his mind. The post office at Latimer is along what is known as the Kingston and Perth Road mail route. The mail is carried by Perth road stage from Kingston and leaves the mail at Glenburnie, at Latimer, at Inverary and so on to Perth road. Every office along that line has a daily service except Latimer. When the stage reaches Glenburnie, about five miles out of Kingston, the mail is given to the carrier who takes it to Glenburnie post office, which, according to the report of the Postmaster General is a distance of seven-eighths of a mile. I think that is correct, or was before the post office was changed. Glenburnie gets a daily service. The stage goes on four miles further, and hands the mail to the carrier who takes it from this route to Latimer post office, a distance of one mile. Now, Glenburnie is a thickly-populated settlement, and so is Latimer—just as thickly-populated. In fact, the figures prove very conclusively that Latimer is more entitled to a daily service than is Glenburnie. I am not saying that Glenburnie is not entitled to a daily service; I contend that it is. But take the figures as given in the last report of the Postmaster General. Glenburnie post office with a daily service gives the department a revenue of $48.50 a year. The Postmaster General pays $90 a year for the carrier to take the mail from the stage to the post office, six days in the week. Latimer post office, one mile from the line of the stage route, and with a service three times a week, gives the government a revenue of $74.25 a year. Now, I know that the Postmaster General could get the mail carried from the stage to Latimer post office six days a week for $90 a year. And, yet, for a difference of $16—to be precise, of $15.75— he refuses the people of one of the oldest settlements in the province of Ontario a daily instead of a tri-weekly service. In this calculation no account is taken of the increased revenue which would certainly be derived if the people had a daily instead of a tri-weekly service. Nor is that all. There is another point I wish to impress on the mind of the Postmaster General. There is absolute evidence that, if he wanted to improve the service the giving of a daily mail to Latimer would not cost his department one five-cent piece. I went to the Postmaster General and point-

ed out to him that, whereas in the past, this road running from Kingston to Perth road, used to be a toll road with three toll-gates on it, so that persons tendering for the mail contract had to take their tolls into consideration, the people of the county have made this a free road, and have abolished these three toll-gates. If the Postmaster General will look at his figures, he will find that he is getting the mail carried from Kingston to Perth road this year at a rate of $50 less than before. There is another reason why, it seems to me, the Postmaster General ought to give the people this improved service. It would round out his service so far as that particular route from Kingston to Perth road is concerned, for every post office along that route would have a daily service.

Mr. LEMIEUX. What do you estimate as the additional cost?

Mr. EDWARDS. The cost of a daily instead of a tri-weekly service to Latimer will be less than the department has been paying if you take into consideration the fact that you are going to get the mail carried for less this year than last, because of the fact that the mail contractor in tendering for the contract lowered his price $50 because of the abolition of tolls on the road. But I want to direct attention strongly to the point that the Latimer post office, with a tri-weekly service, is giving a revenue of $74.25 a year, and I think it reasonable to conclude that if they had a daily service the revenue would be increased, a little at all events. I know whereof I speak when I say that you can get the mail carried from the stage to the Latimer post office for $90, the same as you are paying for carrying the mail from the stage to Glenburnie post office. You have only a difference of $15.75, if we assume that you would have no increased revenue from a daily service over a tri-weekly service.

Now, I want to call attention to another post office. The Postmaster General, in answering a letter of mine in regard to the Latimer post office, said that he was of the opinion that, even with the limited amount of post office business transacted, the tri-weekly service was reasonable. Now, I say again that if he bases that opinion—I know he cannot keep in touch with every office—if he bases that opinion on any report sent by the inspector of the Kingston district, then the sooner he gets a new inspector the better for the department and for the people in general.

I want to call his attention to another case in my county, the case of the Williamsville post office. A great many years ago, before letter-carriers were appointed in the city of Kingston, Williamsville was within the city limits and was made a post office. It was supposed that Williamsville would supply the people of the upper end of the city as well as the people in the county adjoining. Since then, letter-carriers have been appointed to carry the mails to the people in the city of Kingston, and they even carry the mail to the postmaster who keeps the Williamsville post office. I have asked that the Williamsville post office be moved up the street about three-quarters of a mile to the border of the city with the county. Now, that seems to me to be reasonable. It would be about 150 yards away from the school house, and the change would not cost one cent, because the same stage which drops the mail off at the Williamsville post office, the Kingston and Newburgh stage, would pass up the street and drop it off at a store in the upper part of the city. Look at the advantage it would be to the people. Children going to school in the morning could post their letters, and after school at night they could call at the post office and get their mail before going home. It would be a great convenience to the people of the surrounding country in that vicinity, and petition after petition has been sent here by the people of that section asking for this to be done. Would it be any detriment to the people of the city of Kingston? Not one particle of detriment, because the letter-carriers in the city take the letters right past the Williamsville post office and all around through that part of the city, and three-quarters of a mile up the street to the boundary between the city and the county. Why should that not be done? I did not ask, and do not ask now, to move the post office out into the county. I am willing that the member for the city of Kingston should have the privilege of saying where the post office should be established, and of naming a person living in the city to keep the post office. But I repeat that it does seem to me extremely unfair to the people in that section of the country that they should be deprived of a better mail service when they could get it without doing any harm or causing any inconvenience whatever to the people of the upper part of the city.

I want to call attention to another request which I made for a post office. I asked the deputy minister to establish a post office midway between Maberley and Sharbot Lake, at a place called Fall River. A largely signed petition was sent down here asking for that convenience. The nearest any person in that locality is to a post office is four and a half miles, they have to go from four to seven miles in order to get their mail. They asked for a mail twice a week only. There is a cheese factory and quite a settlement, and they only ask for a mail twice a week. What is the answer? That it would cost $70 a year to take the mail

in there, and that the postmaster's salary would be $35 a year, that is $105, and that the revenue would possibly be no more than $10.

Mr. LEMIEUX. To carry the mail between what two points?

Mr. EDWARDS. The minister's letter stated that the location would be about four miles and a half from Maberley, but it does not lie in a direct line between Sharbot Lake and Maberley. If you take the point where they want a post office established as one point, and Sharbot Lake as another, and Maberley as another, they would form a triangle, so you cannot exactly say that the point where they want the post office is midway between Sharbot Lake and Maberley. Now, I am sorry the minister takes the view that, because this office would only accommodate, as he says in his letter, some twenty families, he cannot afford to expend that amount of money per year in the county of Frontenac and give those people a mail service twice a week. I want to express my view very strongly that the Postmaster General has no right to one dollar of surplus in his department. The money that he gets in his department comes from the postage stamps and post cards purchased by the people, and that money should go back to the people in the way of mail service. I think it speaks very poorly indeed for the Post Office Department if they cannot afford to expend in that county a small amount like that.

Now, I want to add to what I have said, that I do not think the Postmaster General is treating the province of Ontario as fairly as he is treating other provinces. I am not going to say that he is doing that intentionally, but nevertheless, I think he is treating the province of Ontario unfairly, and I can prove that from his own report. From 1895 to 1909, the number of post offices in the province of Ontario increased by some 17 per cent.

Mr. LEMIEUX. On what page?

Mr. EDWARDS. I have only the report for 1909 where the number of post offices in each province is given. The report for 1895 shows that there were 3,138 post offices in Ontario while the report for 1909 shows that there were 3,694 post offices in Ontario. The number of post offices was increased in the different provinces from 1895 to 1909 as follows:

	Increase in number.	Percentage of increase.
Ontario..	556	17
Quebec..	669	41
Nova Scotia..	349	22
New Brunswick..	235	20
Prince Edward Island..	77	20
British Columbia..	301	122
Manitoba and the Territories, including Yukon	1,440	198

Mr. EDWARDS.

I can readily understand that in British Columbia and Manitoba there is a great need for an increase in the number of offices. The population has been increasing very rapidly, much more rapidly in those provinces than in any other, but I can understand also that apart from the consideration of the increase in population, there would be reasons why post offices would have to be established in that country. The population is scattered. There are little sections here and there, and there is no doubt a necessity for even more post offices than you would naturally expect looking at the lump figures of population. But, there has not been such a great difference in the increase of population in the older provinces as would be indicated by the difference in the figures regarding the increase in the number of post offices. The figures of the census of 1901 do not show any such great difference in the increase of population in these provinces as would be indicated by the increase in the number of post offices. There is nothing to lead one to the supposition, for instance, that the population of Prince Edward Island has increased to such an extent that the number of post offices had to be increased by 20 per cent while the population of Ontario increased to such an extent that the number of post offices only had to be increased by 17 per cent. The census of 1901 compared with the census of 1891 shows a decrease in the population of Prince Edward Island. If the postmaster would consider the need for post offices as indicated from the amount of business done and from the standpoint of letters, post cards, registered letters, third and fourth class matter handled he would find no reason for any discrimination against Ontario; in fact, so far as third class matter is concerned Ontario furnishes 58 per cent of the total of the Dominion and of fourth class matter 61 per cent and compares favourably with the older provinces with regard to letters, post cards and other mail matter carried. I give these figures to the hon. gentleman because I want to show him that he would be justified in increasing the postal facilities of Ontario. Those figures show conclusively that in all fairness, if you consider population and business done, Ontario is entitled to a far greater number of post offices than it has at the present time, and I believe I have made good the point that Ontario is entitled to more post offices in order to put it on an equal basis with the other provinces. Then, I want to impress upon the minister that there is a particular part of Ontario that is peculiarly entitled to his consideration and that part is the county of Frontenac. That has been the object of my argument here. I did not get up simply to find fault

for I am willing to say, as I believe, that a great deal has been done to improve the post office service of Canada. I am willing to give the Liberal party credit for the reduction of from 3 to 2 cents in the postal rate, but I do not believe the Postmaster General and his department are giving the rural part of the country the attention which it deserves. If the Postmaster General is depending solely upon the reports of inspectors of the various districts and if the inspector of the Kingston district has reported unfavourably on a daily service at Latimer post offices for instance, where they have a tri-weekly service, I think he has not given due consideration to all circumstances. I am willing to depend upon the minister's judgment of the matter and if he will consider it fairly and squarely I do not see how he can refuse to give these people a daily instead of a tri-weekly service. If the inspector of that district has reported to him against an increase in the service of that post office I say that he has proved thereby that he is not fit for the job he occupies. In the matter of carrying the mails I could give a great many instances from my own county where the people are performing a service for the public for practically nothing. For instance, take the Harrowsmith-Sydenham line. It is four miles there, four miles back, eight miles, six trips a week, forty-eight miles altogether and that service is performed for $48 a year. It is not costing you very much, Mr. Postmaster General. You are not going down in your pocket very deeply to pay for that service and I ask you to take that into consideration. But, I am pressing my claim on behalf of other parts of my county to have more frequent service than they are getting now. I could give many instances similar to that.

Let us take the Kingston-Sydenham line, 18 miles, 6 trips a week, 36 miles each day, making 216 miles. That man travels over 10,000 miles in a year, and he receives $257 for it. I think I am perfectly justified in asking that the cheapness of the service in the county of Frontenac should be considered in connection with my request for an extension of the service in the different parts of the county. I would also inform the minister that he can greatly improve the mail service in the county by increasing the number of accounting post offices and give them the right to issue and pay money orders. These accounting post offices are of very great convenience to the people of the country districts. I have collated the following statistics in reference to the accounting offices in Frontenac—the revenue received from them for the year 1905 was $5,900, salaries paid $3,904, postal notes and money orders paid $27,220, and postal notes and money orders issued $84,028. I give these figures to show that a considerable postal business is being done in the county, and I wish to tell the minister that if he increased the number of post offices in the county, it would correspondingly increase the amount of postal revenue. Many of these offices in Frontenac county are in centres where there are cheese factories and cheese business, and it would be a great convenience to the people if they were made accounting offices. I trust that the minister will give special attention to Latimer and Williamsville. I am satisfied that so far as the Latimer office is concerned, that a daily service will not add one cent of extra expenditure, because the increased revenue will pay the extra cost.

Mr. LEMIEUX. I agree with the hon. gentleman that accounting offices are very convenient for the public, and where there is business enough to justify their establishment, the department as a rule does not object to them. I look upon the establishment of such post offices as a facility for the trade and industry of the country. As to the small amount paid to the mail-carrier, the hon. gentleman is aware, I suppose, that there are many would-be mail-carriers who are dissatisfied because they did not secure the contract. As a rule we advertise these contracts, and we invariably accept the lowest tenderer, and I suppose the contractors know best what price they can do the work for. Now, I think my hon. friend (Mr. Edwards) should have confined his remarks to the county of Frontenac, and should not have alleged that preferential treatment was given by the Post Office Department as between different provinces. I can tell my hon. friend that I would be ashamed to preside over a department that would make any discrimination between one province and another. Every one knows that the banner province of the Dominion is Ontario, it is the richest, it is one of the oldest, it is the most populous, and it is entitled to all consideration from the Post Office Department, and from all other departments of the government. It has never entered into my mind that I should differentiate between one province and another. But we must admit one thing, the province of Ontario is an old and well settled province, offices have been in existence there for more than a century and there are fewer demands from that province for new offices than there are from the newer provinces. My hon. friend will be surprised to hear that in one constituency in Alberta, Medicine Hat represented by my hon. friend (Mr. Magrath) in the last year or two I have opened more than 80 post offices. Every one understands that, it is a new province, the distances are immense and there are groups of settlers established here and there and we must provide them with postal facilities, whereas Ontario is an old-established prov-

ince and therefore, fewer new offices are opened there. My hon. friend may say that fewer offices proportionately are opened in Ontario than in some of the newer provinces. True, I open fewer new offices in Ontario because fewer are needed there as it has been so long settled, but when I am asked to increase the mail services in the rural sections of Ontario I always take into consideration in favour of that province its population, its wealth and its standing in the confederation. If my hon. friend will add together the various amounts represented by the mail contracts in Ontario he will see the difference there is between Ontario and Quebec for instance. At all events this question of differentiating between the several provinces does not enter my mind, and I should be ashamed as a public man to be guided by such considerations when the question of expenditure comes up. I take each case and judge it according to its own value, and to the best of my judgment in all conscience and honesty. My hon. friend mentioned a moment ago the Latimer post office. I think the statements he made about the inspector are unwarranted.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

House in committee on Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company, Limited.—Mr. Pardee.

Mr. SPROULE. I would suggest that this Bill be not taken up, as there are several hon. members absent who desire to be here when it is being considered. It is therefore not likely to get through to-night, and it would be better to have the committee rise and report progress and dispose of the other Bill

Mr. PARDEE. I think that all members of the House knew quite well that the Bill was going through to-night and I can see no object in postponing it. It has been discussed frequently and various amendments have been proposed. It is quite well known what those amendments are and what the object of the Bill is. As I understand it, the amendment proposed by the hon. member for North Ontario (Mr. Sharpe) is quite satisfactory, and the Bill may go through on that understanding.

Mr. HUGHES. If there is any intention, and I believe there is, on the part of the government, to deal fairly with this measure, and as the right hon. the leader of the government has already consented to a very important amendment which will prevent any possibility of damming the St. Lawrence without the House being consulted, I would suggest that the amendment agreed upon be taken up before we proceed any further.

Mr. PARDEE. I have no objection to that whatever. The amendments proposed by the hon. member for North Ontario (Mr. Sharpe) and the hon. leader of the opposition (Mr. Borden) are perfectly acceptable to the promoter of the Bill, who is quite content to allow it to go through with those amendments added.

Mr. SPROULE. I have always understood that there are a number of members who think that this Bill should not pass in any shape; and voicing their sentiments, I think it would be the part of wisdom to allow it to stand and dispose of the bills on the paper.

Mr. HUGHES. The sentiment expressed by my hon. friend from East Grey (Mr. Sproule) was undoubtedly that of, not only the opposition, but a large number of government supporters in the earlier part of the debate. Knowing that this Bill, coupled as it was with the St. Lawrence Power Act, would make a very dangerous position, and that to kill this measure and let the St. Lawrence Power Act stand unamended we still leave the rattle snake, as it was called, alive and vigorous, an amendment was proposed which would destroy that danger. The danger is in the St. Lawrence Power Act of 1901 rather than in this Bill, and the right hon. the Prime Minister has consented to amend the Act of 1901 by a clause in this Bill, which would rather effectively kill the rattlesnake

Mr. PARDEE. If the hon. member from Victoria and Haliburton (Mr. Hughes) thinks there can be absolutely no objection to allowing the Bill to go through, if every thing is killed that was objectionable, there ought to be no objection to our putting it through to-night.

Mr. S. SHARPE. There has been a great deal of discussion in connection with this Bill both in the Private Bills Committee and in the House. Having taken quite an active interest in opposing it in the Private Bills Committee, I was very anxious to have the objectionable features removed. The fact that the right hon. the Prime Minister has accepted the position taken by the hon. the leader of the opposition, removes, I think, the main objection—not that this Bill had anything to do with the damming of the St. Lawrence per se, but it added to the rights and privileges of the latter company, and consequently we decided on Monday last that, in according these additional rights and privileges, there should be some con-

cessions made by the company which was incorporated in 1901. There has been a good deal of play of words as to whether these two companies are identical. True each has a different corporate existence, but both are practically controlled by the same individuals. That was practically admitted by the hon. member for Lambton (Mr. Pardee) when he introduced this Bill and agreed to amendments modifying the other. It was also admitted by the fact that the amendments proposed by the opposition were acceded to because they modified the Act of 1901. Unless the same promoters were behind both measures, the promoters of the present Bill would have no right to accept any amendments modifying the Act of 1901. There can be no doubt that the same individuals are behind both measures. The opposition was well timed and its efforts have been rewarded with a great deal of success. The integrity of the St. Lawrence river has been maintained by the opposition to this Bill. The hon. the Minister of Public Works (Mr. Pugsley) had made up his mind to accede to the demands of the St. Lawrence Power Company, and so had the International Waterways Commission.

Mr. PUGSLEY. Nothing of the kind.

Mr. S. SHARPE. There cannot be the slightest doubt that the three engineers of the Public Works Department condemned the scheme in 1908, in the strongest terms. If that was the case why did they modify their verdict in 1910, unless they were open to representations from the Minister of Public Works.

Mr. PUGSLEY. A very sad reflection upon the engineers.

Mr. LENNOX. Worse on the minister.

Mr. PUGSLEY. If he had made such representations, it would be worse.

Mr. S. SHARPE. These engineers have been often reflected upon. They were three engineers of the department who brought in a report on this Bill. One of them was Mr. Lafleur, chief engineer of the Public Works Department, on whom many reflections have been cast on account of dredging contacts which he justified as fair and reasonable, and which the Public Accounts Committee showed was clearly an imposition. Another is Mr. W. P. Anderson, engineer of the Department of Marine and Fisheries. Everybody knows that that department has not stood for efficiency in the past. Anything connected with it is rather suspiciously regarded by the public.

Mr. HUGHES. Not Mr. Anderson's branch.

Mr. S. SHARPE. There was Mr. Butler, a very eminent man, but when we consider that it was in his department the Aylesworth canal was inaugurated, and put through, these men cannot be relied on as independent engineers.

Mr. GRAHAM. Nonsense.

Mr. S. SHARPE. Mr. Butler was the head of the Department of Railways and Canals.

Mr. GEO. TAYLOR. It was not under him that canal was started.

Mr. S. SHARPE It was under him it was perpetuated, and he still defends the whole enterprise. The whole discussion shows the necessity of an independent board of engineers, occupying the same position as the Auditor General, so that they would not be subject to the suggestions or dictates of any minister, and could bring in an independent report the same as does the Auditor General.

Mr. GRAHAM. You do not know the engineers.

Mr. S. SHARPE. The mere fact that the Minister of Public Works, when we had an all night session, said that he would see that the public were protected, showed his inclination to support the enterprise.

Mr. PUGSLEY. I said in case there was any need for it.

Mr. S. SHARPE. It showed his leaning towards defending the whole proposition, and his anxiety to put it through. And I am inclined to think that, when the board of engineers brought in a modified report favouring the whole proposition—practically favouring it—that shows that there was some influence brought to bear upon them to amend their previous judgment. In 1908, they had condemned it in the strongest possible terms, but their second report reads as if they were trying to excuse and suggest a way around the difficulties presented in their previous report. However that may be, the acceptance of the amendment of the leader of the opposition (Mr. R. L. Borden) removes the greatest objection to the Bill. It is true, there are still other objections. But I think the country will owe it to the opposition in this House that the integrity of the St. Lawrence river is maintained.

Mr. PARDEE. Will the hon. member (Mr. S. Sharpe) move his amendment?

Mr. S. SHARPE. In a moment. Last Monday, I suggested that, inasmuch as this same company was asking for privileges and powers from the government they should consent to a modification or revision of their rates by the Railway Board. I have given notice of an amendment that the rates of the St. Lawrence Power Company, incorporated in 1901, shall be subject to revision and supervision by the

Railway Board. I think that removes the other main objection. There is already a provision in this Bill giving the Board of Railway Commissioners control over the rates of this transmission company. But, if they had to pay high rates to the power company for their power, they could not give the public low rates. I understand that the promoters now are willing to accede to the request and make the rates of the power company subject to the control of the Board of Railway Commissioners. With these two amendments, I think the main features of the Bill are not so objectionable. I think the hon. member for West Lambton (Mr. Pardee) will agree with me that when the Bill was discussed in the Private Bills Committee it was agreed by Mr. McCarthy that they would buy their right of way and would not ask for easements from the farmers, as it was argued by the hon. member for Grenville (Mr. J. D. Reid) that the farmers would be interfered with and their crops might be injured if only easements were secured. This point should be made clear in the Bill.

Mr. PARDEE. That is quite clear now.

Mr. S. SHARPE. In that case, there need be no objection to it. But some hon. members think it is not clear. There were two other amendments suggested. One was that the consent of the municipalities should be obtained before the company should have the right to construct their lines, and the other was that the assets of the province should not be expropriated without the consent of the province. I understand that the promoter of the Bill refuses to accede to these amendments. Of course, in that event, the government will have to assume the responsibility, so far as this House is concerned, of passing the Bill without these amendments.

Mr. LENNOX. If it passes.

Mr. S. SHARPE. Yes, if it passes. But, in my opinion, the main objectionable features have been removed by acceding to the amendment of the leader of the opposition, and by the regulation of the rates of the power company. These two amendments, so far as I am personally concerned—and speaking for myself alone and no other hon. member—I have no objection to the Bill going through.

Mr. GERMAN. It has been suggested, as I understand, with references to this Bill, that the expectation of the company is to take power from the St. Lawrence Power Company which company it is claimed, has the right under the Act of 1901 to put dams in the St. Lawrence river at the head of the Long Sault rapids.

Mr. HUGHES. At the foot of the Long Sault?

Mr. GERMAN. Yes, at the foot of the Long Sault. I have the Act of 1901 incorporating the St. Lawrence Power Company. Now, I may read this statute quite wrongly, but as I read it, I cannot see that the St. Lawrence Power Company has any right whatever under the Act to construct any dams in the St. Lawrence river at the foot of the Long Sault rapids, or that it has any powers whatever, for it seems to me that the company is functus officio, not having carried out the provisions of its Act of incorporation. The Act provides:

> The company may—
> (a) manufacture, use, supply and dispose of electricity, water and gas, and water, hydraulic or other power by means of wires, cables, pipes, conduits, machinery or other appliances; and construct, maintain and operate works for the production, sale and distribution thereof, and for the purposes aforesaid may construct, acquire, use, maintain and operate canals, water-courses, raceways and water-powers in or adjacent to the St. Lawrence river on the north side thereof at any points eastward from Hoople's creek, in the county of Stormont, in the province of Ontario, to the eastern end of the Soulanges canal.

That certainly does not give the company power to put dams in the St. Lawrence river at the foot of the Long Sault rapids.

Mr. HUGHES. Then these amendments will do no harm.

Mr. GERMAN. Certainly not. Further, I cannot see—and I would like the Minister of Public Works (Mr. Pugsley) either now or at some other time, to explain the matter—how this St. Lawrence Power Company can construct dams at the point referred to. Section 13 of the Act provides:

> The powers granted by this Act shall cease and be null and void unless works of the company capable of producing at least one thousand horse-power are completed within three years from the passing of this Act, and notwithstanding anything contained in any Act of parliament.

This company has not only not completed any works, but it has not begun any works. Surely, so far as the powers granted under this Act are concerned, this company is dead—it is finished. They would have to revive the Act, and for that purpose, to come to parliament.

Mr. GEO. TAYLOR. Have they not constructed a portion of their works?

Mr. GERMAN. This company has constructed nothing. They did buy, I believe, some plant and property from Mr. M. P. Davis. But, surely, that is not a compliance with the provisions of this Act. The power plant which they bought from Mr Davis at the Long Sault rapids, and the power granted to this company is to con-

struct works at the Soulanges canal, which is a long way——

Mr. HUGHES. Where is Hoople's creek?

Mr. GERMAN—I presume that it is somewhere near the Soulanges canal. But I do not know.

Mr. S. SHARPE. It is fifty miles away; it is west of the Long Sault rapids.

Mr. HUGHES. Above Dickinson's Landing.

Mr. S. SHARPE. So, this Act gives them power, so far as the parliament of Canada can give them power, to construct a dam at the Long Sault rapids, because the territory covered by their Act extends about 54 miles along the river.

Mr. GERMAN. Then, if they have complied with section 13, which I do not think they have done——

Mr. S. SHARPE. They say they have.

Mr. GERMAN. I do not know what works they have completed for the development of 1,000 electrical horse-power. If they comply with that, then they are a live concern and can go on and develop power, and if they can, my opinion is that this parliament should prevent them from putting dams in the St. Lawrence river, and tying up that river to this American corporation, allowing them to build their power houses on the American side of the river where this government cannot touch them. If any one suggests that this government can in any way control the output of power of that company, whose power-houses are on the United States side of the line, I fail myself to see where any restriction can be imposed by this parliament. You can put any clause in the Act you like, they can violate that clause and use all the power on the United States side of the boundary line, and the only possible way of dealing with the situation would be for this government to blow up the dams with dynamite. I for one am absolutely opposed to this company putting dams in the St. Lawrence river for that purpose, as long as we have ample powers in Canada which are now being developed, and can be developed, to supply the necessities of this country.

Mr. SPROULE. I understood the hon. gentleman to say that in that Act they have not power to construct any dam on the St. Lawrence. What construction does he put on clause 8, which reads as follows:

> To construct, maintain and operate works for the production, sale and distribution (of electricity) . . . . and for purposes aforesaid may construct, acquire, use, maintain and operate canals, water-courses, raceways and water-power.

Now, how could they construct and make a water-power without a dam? If they have that right, surely it carries with it the right to dam the stream out of which the power is made.

Mr. GERMAN. All I can say is that if they have got that power, they should not have it, and that no plans submitted by them to the department should be approved of

Mr. GEO. TAYLOR. I was not present to hear the Minister of Railways, but I read in the 'Hansard' that he was strongly in favour of this Bill for the purpose of granting power that might be carried to the town of Brockville, where there is a large number of industries. I may say that I am largely interested in industries in the town of Brockville, employing some three or four hundred men the year round, and so far as our company is concerned, though we would be glad to get cheap power, we would be strongly opposed to getting it at the cost of great injury to the country and to other priavte interests. One of those interests is the Richelieu and Ontario Navigation Company, a tremendous concern, having stock spread all over the country. If a dam was constructed that would injure the scenic beauty of the River St. Lawrence and the Long Sault, their stock would depreciate fully 50 per cent from the day the Bill was passed. The first report of the engineers said that it would damage the country away down to the city of Montreal. For this and other reasons, although I am largely interested in getting cheap power, I feel it my duty as a public man to oppose this Bill.

Mr. GRAHAM. My hon. friend has perhaps not read all I said. This Bill has nothing to do directly or indirectly with damming the St. Lawrence.

Mr. GEO. TAYLOR. As I read these Acts that are now in force, and this one in conjunction with them, it gives them that full power.

Mr. GRAHAM. Not at all. My hon. friend is altogether mistaken.

Mr. GERMAN. I would like to know how this company is to get power to transmit electricity over its line unless they take it from the St. Lawrence Power Company? They have got no power plant in Canada excepting the power plant which they purchased from M. P. Davis, and which they would not assume to send, I apprehend, to Montreal. So what object can there be in giving this company the right to construct a transmission line when they have got no power to send over the transmission line?

Mr. PARDEE. Did the hon. gentleman read the speech of the Minister of Railways?

Mr. SPROULE. I want to say that I am opposed in toto to the passage of this or any

similar Bill. One reason is because we have no right to lock up the water-powers of the country, and give them to any private individual or corporation. I think that is radically wrong and improper. Another reason is because the province of Ontario is developing this new policy with regard to water-powers, and if this or any other Bill passes, no matter with what restrictions, we give them corporate powers that will enable them to do something to hamper or interfere with that law against the interest of the province. Another reason is because it is an improper interference with provincial rights, and we have had too much of that lately. We have another Bill submitted to this House to-day for the incorporation of another power company between here and Montreal, and which I regard as equally objectionable with this one. We have had a great many of these Bills during the last two sessions, all aiming at getting control of the water-powers of this Dominion. And strange to say, all those men who are endeavouring to acquire that power or that control, when we analyse their companies, and get to the bottom of them, are Americans. If the information we have received be correct, they are part and parcel of a great combine that is trying to get control of every water-power in the United States and Canada, that they can lay their hands on. I think that is wrong. I never could understand why parliament should make or allow such a contact to be made as this government did with Mr. M. P. Davis, selling to him all the power of the Cornwall canal for a thousand dollars a year, a canal which is capable of generating several thousand horse-power, and then buying it back at $63 per horse-power, first binding this country for twenty-one years, and then extending that contract to eighty-four years. Consider how we are binding the interest of posterity. What right has parliament to tie up the property, the assets, of the province for that length of time, practically giving it in fee simply because there is a provision in that contract which enables them to renew it after that time has expired. After that contract was made, and extended in that way this Bill of 1901 was passed as a complement to it. The men who were interested in it control the two Bills to-day, and this Bill now before us is a complement of those two, and they desire to get it through for the purpose of using the same powers. If the information be correct that Mr. Davis has capitalized that contract, and sold it to Americans for a very large amount of money, according to reports all the way from $700,000 to $1,000,000, and they desire this Bill to help them to realize more out of it, and divide up what belongs to the country among themselves, then I say we are doing radically wrong when we give them the right to do that. Therefore, in my judgment, we ought to object in toto not only to this Bill but to any other Bill that has for its purpose to take over or control or utilize the water-powers of any province in the Dominion or to lease them for a great length of time. The province should do that, and should get whatever beneficial interest there is in these water-powers. These water-powers are the natural, inalienable assets of the provinces, and they should have the benefit of them. This federal parliament should not deprive them of this right, and we should not give to any corporate body a right to interfere with or control them in any way, and for that reason, although in my judgment the amendments that are proposed would materially nullify some of the baneful features of this Bill, still I think we ought to allow no Bill of this character to pass, and I am just as much opposed to this as to any other Bill of a similar kind. I think we should oppose them all, and that we should not allow a single one to pass this House.

Mr. LENNOX. Before section 1 passes I want to say a word or two about this matter. The other night the right hon. Prime Minister (Sir Wilfrid Laurier) replied very vigorously to some remarks that were made on this side of the House with reference to the position of the Hydro-Electric Commission. The First Minister seemed to think that it afforded a fruitful subject for vigorous retort because some hon. gentlemen on this side of the House thought well to point out that among other reasons why this Bill should not pass there was the fact that the province of Ontario has formed a scheme for supplying cheap power to the people, had worked upon that, had developed power to a very large extent in the west and that they were intending to develop it in the east as well. The Prime Minister argued very forcibly against creating such a monopoly as this would be. If a monopoly is advantageous to the people as this one is, it is not the kind of a monopoly that we should oppose. The Prime Minister is quite right in saying that means should be afforded to the people to get power; if it does not interfere with navigation, at a cheap rate and if there is in any province no scheme inaugurated by the government to develop power it might be wise and right to allow a private company to develop that which manifestly would not otherwise be developed within a reasonable time. But in any province where they have inaugurated a scheme and actually put it in operation to supply power to the people every hon. gentleman in this House knows that no company can or will develop that power, and bring it to the people as cheaply as

will a properly conducted enterprise such as the Hydro-Electric Commission of the province of Ontario. It is the province of Ontario to-day, it will be the province of Quebec, or some other province to-morrow, or next year, and what I would urge upon the Prime Minister and the government is, that all things being equal, it is the duty of the federal power, instead of opposing the provinces and setting themselves in opposition to them, as representing all the provinces, to afford every reasonable facility to them to develop power in the interest of the people. The province of Ontario has bona fide gone to work, and I think that the other provinces will follow its example, to develop power and carry it to the people at cost price.

Mr. PARDEE. They have not developed it in the east.

Mr. LENNOX. They are going to develop it in the east and I will guarantee they will develop it just as rapidly in the east as will this company once they secure this monopoly. The St. Lawrence Power Company have had a good deal of time for developing but they have developed very little except schemes, one of which is the scheme that we now have before the House. Instead of coming to parliament under their own name openly and honestly and asking for an amendment to their Act they come under a subterfuge, under a disguised name and ask for powers which can be coalesced with the powers they got in 1901, and so, by the union of the two, get that which they otherwise could not get. The proposition we are up against now is this : Shall we enact anything that will enable these people more fully to accomplish a purpose which, if we had been alert in 1901, we would not have granted them the right to carry out. We never should have given them any powers whatever and what I urge now is that we should not do anything that will entrench these people in a more formidable position than they occupy to-day. They dare not come to this House and ask for an amendment such as would represent, in effect, the Bill now before the House. They know perfectly well that if they came to this House and asked for any extension of their privileges, for the power of expropriation such as they intend to get under this Bill, the parliament of Canada dare not accede to their request. But they come under false pretenses, under an assumed name and they try by that means to deceive the public. I, for one, do not, any more than is unavoidable, intend to be a party to allowing these people to get by indirect and dishonest means that which they could not get and which we would not give them if they came honestly and openly and asked for it. If this company came and asked us for such an extension of their rights as we will give them by reason of this Bill, came and asked us for amendments which will give them in effect the rights that they will secure under this Bill, no gentleman, I venture to say, in this House, having regard for the interests of the people, would increase the evil that we created in 1901 by extending these additional privileges to this company. If we would not do that I venture to say that it is not wise for us, it is not doing our duty, by these means to indirectly give this company rights which they could not get by way of an amendment if they came here asking for it. I was referring a moment ago to the question that even if the province of Ontario were coming here we should not give them the right to dam the St. Lawrence river.

Even for the honest object of supplying the people with cheap power, we should not consent to the damming of the St. Lawrence. But when the province has entered on a scheme for supplying power to the people of Ontario at cost, and when we must recognize that the greater area and the greater the number of customers the cheaper can they supply that power, it is the duty of this parliament to see to it that we shall not set up in competition a private company whose action in dividing the market must necessarily be to increase the cost to the people, by preventing the Hydro-Electric Commission from developing power as cheaply as they otherwise would. To test the honesty of this transaction, I say that if the promoter of this Bill will consent to put its expropriation provision on the same footing as in the former Act, we would then have an additional guarantee that this company would not by a side wind attempt to get an additional advantage. I tell the Prime Minister that the time will come and soon, when we will have to buy back from the company the rights which we injudiciously gave them in 1901. Just as we will have to expropriate the Laurier hotel sooner or later, and pay an enormous price for our blunder in giving that park to a private company, so, sooner or later the people of Canada will demand that the company we authorized in 1901 to encroach upon the rights of the people, shall be expropriated and the people restored to their rights. If the government will persist in enforcing this Bill, and so entrench the St. Lawrence Power Company more firmly than they are entrenched under the Bill of 1901, then I shall have to demand the opinion of the House as to whether we shall have a provision controlling the rights of expropriation and the rights upon highways and the rights of entering upon private properties, which were limited in the Bill of 1901. That these two companies are identical there is no doubt; the argument has been abandoned that they are not. They are the same people, but un-

fortunately they come to us under an assumed name. They have withheld as far as they could the knowledge of their identity, but step by step, sometimes accidentally, we have developed our knowledge of them. Day after day and hour after hour as we have been discussing it, more light has been shed upon this transaction, until we now know the fact that these two companies are identical, and, worse still, that the backbone of the whole concern is an American institution which is exploiting this company, mainly in the interests of the United States. I can prophesy with almost certainty that in a year or two we will find we are making to-day a greater blunder than we made in 1901, and that these people will have a huge monopoly in the United States over the water-powers of the river St. Lawrence, interfering with our navigation and probably involving us in international disputes. And, Sir, we do not have to go far back to know how liable this government is, when it becomes an international issue, to bend the knee to the United States. It is only a month ago, since, figuratively speaking the Minister of Finance sat upon me because I tried to suggest that if the government went on with the French treaty they would likely be involved in complication with the United States. Our warning was set aside, and but a few Sundays ago we had these same gentlemen opposite, who so lately defied the United States, wending their way to Albany on that fateful Sunday morning.

Some hon. MEMBERS. Time.

Mr. LENNOX. And, forgetful of their duty to Canada they surrendering to the United States.

The hour for private Bills having expired, the House resumed in Committee of Supply.

SUPPLY.

House again in Committee of Supply.

Post Office Department—salaries, $543,232.

Mr. BARKER. I desire to call the attention of the minister to a petition which has recently been presented to him by, or on behalf of the outside service of the City Post Offices. This petition is different from that discussed this afternoon, but it is quite as serious. I do not know how far the minister has yet been able to consider the matter, but I do hope that in justice to the large body of deserving civil servants who thus ask for justice, he will give favourable consideration to their petition. I am not in the habit of accepting petitions to present to this House without making some inquiry as to the merits of the cases involved, and with regard to the one of which I am now speaking, I have taken some trouble to ascertain whether there was anything in reason in support of that petition in relation to the city, a portion of which I have the honour to represent. I do not for a moment say that because demands are made upon one of the departments, a member of this House should support those demands, but I really think there is a grievance here which is well deserving of the minister's favourable consideration. We have had in the past a great deal of discussion with reference to what has appeared to be a rather discriminating view taken of the rights of men of the inside service, as compared with those of men in the outside service. We know that in Ottawa, there may be a man in the inside service receiving for seven or eight hours' work a day a much larger salary than is received perhaps by his own brother in the outside serviec in this same city. It may even happen that the man in the outside service is the better man, but we constantly find that men in the inside service receive more for shorter hours than men in the outside service for longer hours. That has been demonstrated here over and over again. There may be reasons for this which the ordinary mind cannot grasp, but the fact exists. This discrimination exists in Ottawa, in Montreal, Hamilton, or any other city. That is at the bottom of the complaint that I wish to lay before the minister. I have looked into the cases of some 10 or 12 clerks in Hamilton, and I wish to present these to the consideration of the minister as an example of what is considered an injustice. If the minister can satisfy himself that there is no injustice, we must submit to that; I am simply laying these facts before him for his consideration, and I am sure that when he has considered them, he will endeavour to do justice. I have found that as regards certain employees, and I take long service men of good character in the post office at Hamilton—they are to-day in a class the maximum of which, under the statute, is $1,500 a year. I am prepared to admit that that may look a very nice salary to many people; thousands and hundreds of thousands in this Dominion would be glad to attain to that position. But I find that of all the men who have attained to two-thirds of that salary, $1,000, the majority have served in the Post Office Department for 30 years. After 30 years' service, they receive a salary of $1,000, and they are buoyed up by the wild hope that they may live long enough to get up to $1,500. That $1,500 is supposed to be a solace to these gentlemen, because there is a possibility of attaining it, there are great expectations before these valuable civil servants. I have here one man who for three years has been receiving $1,000 a year. Before he got to the $1,000 a year stage, he had served

for 27 years. How would hon. gentlemen in this House, if they were starting life, care to look forward to 30 years of steady, good and faithful service with the hope that they might then get to $1,000 a year, and perhaps ultimately to $1,500 a year? I have here the names of men who have served for 28 years, 25 years, 30 years, 28 years, 28 years, 26 years, 25 years and 34 years. Of all these men, the highest stands to-day at $1,000. That man has served for that length of time after arriving at manhood. What expectation has he of ever reaching the maximum? Surely there must be something wrong in holding out an inducement to such a civil servant in the department that he may arrive at a salary of $1,500 a year. If, after 30 or 40 years, he receives only $1,000 a year, he must be a hopeful man if he thinks he will ever arrive at the maximum. These are the men of that class in the Hamilton post office, and I am taking the highest salaries in the class.

There are other men who have served 26 years, and have got to $900, others have served 24 years and 23 years and have reached $800. I just present these facts. I have no desire to take up the time of the House by commenting on them, but I ask the hon. minister to look at these men, not with bowels of compassion, because they are not beggars, they are just as good men as those who sit in this House, just as honourable and well educated men, who have served their country faithfully, and who deserve better consideration—I ask the hon. minister to consider these men fairly as they would be considered by any wealthy employer, just as they would be considered by a big railway company, or any large institution of that kind. I think it might be well for the departments of this government to conduct their business as is conducted the business of our great corporations. The Postmaster General has on his staff a very good body of officers, the local inspectors, and I have no doubt that these do a great deal of work, and when men are to be promoted, their future, and the future of their families, so far as these depend on their salaries, is largely in the hands of these inspectors. I know that these inspectors are good respectable men, and capable officers, but there is precisely that same class in any large company. Every large company has that class of men who are the intermediaries between the employees, and the head of the department, just as those inspecting officers are the go-betweens between the staff and the minister, yet we all know that the president of a railway company, or the general manager systematically goes from year to year over the whole work from end to end, and gets in touch himself with the men who are reported upon by these local inspectors. I do not ask that the mighty minister of a great Dominion should do this, but if it were possible for the minister, or his capable deputy, such as the Postmaster General has, to, season by season, go through the country, and get into touch with these people, see how they live, know what it costs them to live, that might do a great deal in harmonizing these differences and having justice done. I do not suppose that anybody understands better than the minister that since these scales of wages were arranged, there have been tremendous changes in the cost of living. Rent and food, and everything they have to pay for have gone up tremendously, far more than their wages, and I think that ought to be considered by the minister fairly and equitably. This country cannot stand extravagant salaries, but can stand justice to the men who serve it, and I hope that by some means it may be found possible for the deputy, or the minister himself, to get more in touch with the people who serve him, than has been the case in the past.

Mr. RUSSELL. During last session the hon. the Postmaster General brought down a Bill increasing the salaries of the letter-carriers, and the reason he gave was the increased cost of living. At that time I spoke in favour of increasing the pay of the railway mail clerks, and was assured by the hon. gentleman that during this session he would bring in a Bill regarding them. I have here a clipping from the Toronto 'Globe' of February 10 last on that subject

Claims of Railway Mail Clerks.

The claims of the railway mail clerks is being pressed upon the government of Canada. Those claims are reasonable and urgent. For public service rendered in discomfort and danger the scale of remuneration is indefensibly low. The service is of such importance as to demand at all times physical vigour, intellectual alertness and training, moral integrity, and the strictest devotion to public duty.

The ceaseless strain of the work, due in part to the utterly improper type of mail cars in use on the railways, as the Civil Service Commission declared, 'tends to the shattering of the nerves and leads to other physical diseases, and to early disability.' Unless the remuneration is greatly increased it will be growingly impossible, under present conditions of service, to secure the type of intelligence and capacity made necessary by the examinations and required for the duties imposed. With the cost of living steadily rising, the present low salaries will increase the temptation to dishonesty, a thing unjustified in any public service. Devotion to duty joined with capacity for service can find such abundant rewards in other positions that the mail service will be left for the culls and the derelicts unless reasonable increases are made.

The 'Globe' does not hold to the view that civil service positions should in all things compete with the service of private corporations. But that does not mean that the salaries of those who carry on the public services should be held as near as possible to the star-

vation point. Those salaries should be reasonably adequate in all cases. In cases of special discomfort and of exceptional risk and danger, as with the railway mail clerks, the salaries should be even liberal. At the present time $400 as a minimum and $1,200 as a maximum is penurious for men doing responsible public service under conditions unattractive, uncertain, and full of peril. Substantial increases are due.

I think that when we expect to get any kind of good service from men in the position these occupy, a minimum salary of $400 is not in keeping with their work. A man commencing in the position of letter carrier to-day would earn in the neighbourhood of $600 per year, and I think that an increase to them, of say, $200 a year all through, and raising their pay from year to year, so as to allow them to go to the same limit as first-class clerks in the Post Office Department, namely $1,500, would be only a fair thing to do. Would the Postmaster General be good enough to let us know whether he can take that up this session or not.

Mr. LEMIEUX. Let me outline briefly what has been the policy of the department with regard to the proposed increase. First, I must say to my hon friend from Hamilton (Mr. Barker) that he does not appeal in vain when he prefers a request in favour of that class of the post office employees to which he has referred. As a matter of fact when these hon. members press me with regard to the status of the post office employees, or any other employees of the government for that matter, they are speaking to a convert. I have already stated in this House that I am myself the son of an old civil servant, who has been in the active service for now over forty-seven years and who has raised a family of ten children. I happen to know something about the increased cost of living during the last 25 years and what changes have taken place in every-day life. I may say that, since I took office in 1906, I have done my little share toward improving the condition of the employee. The House will remember that when I was made Postmaster General, the minimum salary of our postmasters was only $25 I made an increase and brought the minimum up to $35. Last year, at the request of several hon. members, and of the civil servants themselves, I went very carefully into the condition of the humbler class of post office employees, the sorters, stampers and labourers employed in the city post offices. I gave them an increase of salary, and I believe, from the accounts I have received from the post office inspectors that there exists amongst that class of employees general satisfaction. As regards the letter-carriers, they have expressed publicly on several occasions their deep sense of gratitude to the government and to the department in particular to the very substantial increase which this parliament voted last year in their favour. This year, as I have stated, I endeavoured to look after another class of employees, the post office inspectors, the assistant inspectors, the superintendents of railway mail clerks and the assistant postmasters in large city post offices. They are, as I stated yesterday the marrow of the whole service. They are the leading men in the service. They give to every post office and to every postal district the right direction; they teach every postmaster his business; they are men upon whose efficiency, conscience, and honesty the whole service depends. Their salaries have not been revised, many of them, since 1874, and I thought the time had come when we should give that very efficient class of civil servants an increase of salary. The House was kind enough, yesterday, to accept my views on the new scale of salaries for that class of employees.

But now I am confronted with another request, from the hon. member for East Hamilton (Mr. Barker), my hon. friend from East Toronto (Mr. Russell), and, I may say, from nearly all the members who represent the larger postal districts in Canada. Petitions have poured in upon the department, during the last two months, asking that the railway mail clerks should receive a substantial increase. Since these petitions began to come into the department, an agitation has gone on amongst another class of employees, the clerks in the city post offices. These clerks do exactly the same work in their respective offices as the railway mail clerks, with this difference, that the railway mail clerks receive what we call a 'mileage allowance' and have certain days of the week when they are exempted from duty. The employees in the city post offices claim that, on the whole, the railway mail clerks receive better treatment than they do. I am not saying whether the railway mail clerks' case is preferable to the other, I am only stating the facts in order to show that it is somewhat difficult to pronounce immediately upon the respective merits of each case. I have stated, and I repeat, that, in my judgement the members of the outside service in the larger post offices, such as those of Winnipeg, Toronto, Montreal, Halifax, Quebec, Vancouver and Victoria, should be placed on the same basis as the members of the inside service at Ottawa. That is my personal view, and I know that it is shared by a large number of members of this House. But, for the present, all I can say is, that, in my opinion, the day

is not far distant when all those who serve in the outside service in these large city post offices will have to come under the Civil Service Act as introduced in this House two years ago and is now working so well for the Civil Service at Ottawa. I intend, during the recess, with my deputy and my officials, to prepare a classification in order to bring in the members of the outside service in these large offices. I believe, with my hon. friend from East Hamilton (Mr. Barker) that there is no difference in the work done by the members of the inside service and the members of the outside service. If there is a difference, it is in favour, probably, of the outside service, because they sometimes have to serve longer hours than the members of the inside service. So, as I have said, I intend, during the recess, to work up a proper classification, which will give adequate increases to the outside service and bring them, if possible, into the inside service. That is my judgment, that is the policy of the department, and I will do my best to carry it out.

Mr. RUSSELL. Would it be possible to incorporate in the Bill that the Postmaster General is bringing in a provision to increase the salaries of the railway mail clerks? Four hundred dollars a year to commence with is very low. Monied men such as they are have to wait for another twelve months, and before they get what is really due to them they will suffer a hardship. No doubt the Postmaster General is aware of the increased cost of living, and I think it should not take long for him to look into the matter and find out that these men are really deserving, and he should provide for them in the Bill!

Mr. BURRELL. The minister said he was in favour of classifying the outside service, and carry into effect the principle of promotion. I wish he would be able to say that he would go a step further and appoint to positions of postmaster men who have proved to be deserving officials, who have steadily worked up in their business, and have become highly qualified. If he would do this instead of appointing political hacks, he would be following in the line of a true reform of the Civil Service.

Mr. LEMIEUX. My hon. friend would find it difficult in my place to take men from the service, and appoint them as postmasters in rural sections, it would be impossible.

Mr. BURRELL. I am not speaking of rural sections, I am referring to large cities where they have gradually qualified themselves for the work.

Mr. LEMIEUX. I do not think, as a rule, there are any complaints against our postmasters in the larger cities. Take, for instance, the city of Victoria, from which my hon. friend hails. We have there a very old and efficient postmaster in the person of Mr. Shakespeare, quite a literary name, an old member of this House, who is a credit to the service. He had been in the House for many years, and was appointed by the Conservative government. We have now at Vancouver a gentleman who represented the city of Vancouver in the last parliament, Mr. Macpherson. I must say this to the credit of Mr. Macpherson, that he went into that office a new hand, and he has proved himself already to be one of the best postmasters in the Dominion. My hon. friend knows that Vancouver is a growing city, and that the business is complicated in view of the many races that are represented in the population of Vancouver. It is true that Mr. Macpherson has been in politics, but I must say this on behalf of the politicians on both sides of the House, that when they leave politics and accept positions of that kind, they generally prove to be the best servants that the public can have.

Mr. BURRELL. The minister's point was neatly taken, he knows how to put up a pleasant argument. But I think he missed the point here. I am not concerned as to whether the postmaster of Victoria is efficient or not, or as to whether he was appointed by a Conservative government. Nor am I here to dispute that Mr. Macpherson is making a good postmaster; I do not know whether he is or not. But I think the minister will agree that if we are on the path of reform, surely a man who has qualified himself by a long term of service, and has become thoroughly familiar with the work of the office, should be promoted when higher positions are open. I think the minister will assent to that, and I would like that he himself would have the courage to attempt a reform of that kind.

Mr. LEMIEUX. I must say that I am not a greater man than Sir John Macdonald, and he used to say that the office of postmaster of Toronto, or Montreal, or Winnipeg should belong to one of his faithful followers in the House, that the man who had served his party faithfully for years was just as competent, just as honest, as any one else. Of course a postmaster in a large city is sometimes only a figure head, he is a real worker. At the same time, if we take the postmasters of those three largest cities to-day we find that they are doing very effective work; but the bulk of the work falls generally on the shoulders of the assistant postmaster. The hon. member for Hamilton was speaking a moment ago of the post office in that city. The postmaster of Hamilton to-day is Mr. Adam Brown, who was

for a great many years the member for Hamilton in this House. He had been in politics for forty years, he was the father of this House. Now, Sir, I consider it a credit to my department that we have in its service Mr. Adam Brown.

Mr. BLAIN. My hon. friend has not made many selections of that kind.

Mr. LEMIEUX. I have appointed Mr. Macpherson, who was a very able member of this House; I have appointed to Montreal Mr. Harwood, who was for fifteen years the member for Vaudreuil in this House, and who is one of the most creditable members of the outside service. We must not discredit our profession.

Mr. ARMSTRONG. The hon. Postmaster General said a little while ago that the advertisements were carefully looked after. I have before me a little country paper with eleven advertisements on one page, from the Post Office Department, all mail contracts. One of them is in Lincoln county, one in Simcoe, one in Durham, one in Muskoka, one in Halton, one in Ontario, one in Grey, one in Wentworth, two in York, another in Muskoka. These advertisements call for tenders to carry the mail from one point to another, and they are all in one paper, the Canadian 'Farmer.' It looks to me to be a waste of money. Now I have a few questions to ask the Postmaster General. On page 1 of his report we find he has a surplus of $809,000 at the end of the year. I am sure that he could not help thinking that the railway mail clerks, who have been so ably championed by the hon. member for Toronto (Mr. Russell) and also by the hon. member for Hamilton (Mr. Barker), are at least justified in asking that the minister investigate thoroughly their complaint, and see that at least they receive reasonable and fair remuneration for their services. We also find that there was a reduction in the drop letter rate in cities.

A greatly desired reduction was made in August, 1908, in the rate of postage on letters posted for delivery in cities and other places having free letter carrier delivery service. The former rate was two cents per ounce; the present rate is one cent per ounce.

On the next page we find that there was a reduced rate on papers and periodicals of one half cent a pound. I want to ask the Postmaster General whether he has taken into consideration the fact that in the United States, within this year, they have thoroughly investigated the second class mail matter that is being carried in that country through the post office and they find that that class of mail matter is being carried at a loss of $64,000,000 to the people of the United States. I want to ask the Postmaster General if he will be good enough to tell us whether he has made an investigation to see whether he is losing at such an enormous rate and whether the reduction that he is making in the rate on these papers is justified, or whether he investigated the question before making the reduction. If he will look at page 22 he will find that the increase in postal stores amounted to $93,000. Would he be good enough to explain why that extra amount was needed? I do not expect to go very fully into a criticism of the smaller items in the Auditor General's Report, but I desire to call his attention to one or two points in connection with the increase in the expenditure. For instance, we find that the total receipts from the Yukon amounted last year to $18,000 while the expenditure was $135,000, leaving a deficit of $116,000. In the city of Dawson the revenue of the post office is only $13,000 and the minister spends for salaries and rent over $29,000. Should he not take into consideration the amount of money that he is spending and receiving in these different places? Taking the number of employees in that office I find that I. J. Hartman, postmaster, gets a salary of $5,000 and an allowance of $900; clerks at $210 per month: N. J. Caron, $2,520; B. F. Craig, $2,520; G. D. Edwards, $2,520; W. R. Hamilton, $2,520; F. H. Hartman, $2,520; J. W. Wilson, $2,520. The attention of the minister has been called to the fact that Ontario requires further consideration. I have no doubt that several of the older provinces require similar consideration, but let us look at Ontario. We have listened this afternoon to members who have been anxious to tell the minister of the districts that are in need of post office facilities, and I have no doubt that others will tell him of other places before the evening is through. The revenue of the province of Ontario last year was $4,231,775 while the expenditure in that province was $957,000, leaving $3,273,000 to go to the general post office fund and to assist to a large extent the development of postal facilities in other parts of the country. While I do not say that the province should have any thing like the amount of money expended in it that is collected, yet, when you find districts such as the member for Frontenac and other members have brought to the attention of the minister and which are urgently calling for increased postal facilities, you can readily understand that the minister requires to give a good deal more attention to the province of Ontario. When the minister is extending the rural free mail delivery system he should take into consideration the fact that the thickly settled rural population and the cities are paying into the post office treasury over $4,000,000 and that he is expending $900,000 in that

province leaving a surplus from that province alone of $3,273,000. While the minister has in the past few years increased the advantages of the people living in cities, towns and villages in Ontario those living in the rural districts have not received the consideration that they should receive at the hands of the Postmaster General. I would like the minister to tell the committee why it is that the total expenditure in 1902 only amounted to $3,888,000 while in 1909 it was increased to $7,401,000, or an increase of nearly half within the past seven years. The expenses of the Post Office Department have practically doubled. There ought to be some good reason for that. The minister last year increased the number of post office by 650. He also increased the annual expenditure by $586,000 or nearly $1,000 for every new post office opened. He does not need to tell us that these 650 post offices that he has established cost anything like the amount of money that the total increase in the expenditure represents. Let him give us some good reason why the post office expenditure has increased until to-day it is $3,523,417 more than it was seven years ago. There are some suggestions that I wish to make to the Post Office Department, and which I feel justified in making because they are in the public interest. There should be a system of rating post office employees as to efficiency and faithfulness.

Then the salaries should be rated on the basis of the quantity of the work the employees perform, their accuracy in doing it, and their compliance with the postal regulations, office rules, and conduct, their punctuality and regularity in attendance, and their familiarity with the regulations and instructions regarding their duties. How important it is that in our towns and smaller cities these officials should be put under some form of discipline. Then, it has been brought to the attention of parliament that post offices are built in this country without the knowledge of the Postmaster General, and without consideration of the postal needs of the district. The system now is that the Minister of Public Works receives petitions from his followers, and if he deems it wise in the interest of the Liberal party in the district, he erects a post office without any regard to the proportion between the income received from the place and the cost of the building. I believe that in the erection of post office buildings, the Post Office Department should have a voice. The Post Office Department has trained agents who should be familiar by experience and observation with the requirements of the postal service in all directions, and it is the post office officials who should select the site and arrange for the interior equipment of the building. Sites for public buildings to be used exclusively for the Post Office should be selected by the Postmaster General, and in case a building is erected for the joint use of the Post Office and other departments, the approval of the plans and the specifications and estimates as to space, interior arrangement and equipment should be furnished by the Postmaster General. That is the common sense business way of looking at the question, but instead of that the Minister of Public Works, who knows little or nothing about the needs of the postal service, proceeds to erect post office buildings which are beyond the requirements of the post office district, and the Postmaster General knows nothing about it. A further suggestion which I have to make is that the mails should not be delivered by city carriers except at residences and city offices where approved mail receptacles are provided at the door or entrance. This would effect a great saving, because the delay in city delivery is one of the obstacles which the Post Office has had to contend with. It has been estimated that there is a loss of 15 seconds at each place of delivery, and if there are 336 stops, which is the average number, there is a loss of one and a half hours a day for each carrier. Hence a quicker delivery by the means suggested would save to the country many thousands of dollars. Then, another suggestion is that when the writer of a letter on which the postage is prepaid shall endorse on the outside his name and address, such letter shall not be advertised but shall remain uncalled for at the office to which it is directed the time the writer may request or the Postmaster General would prescribe, and it shall be returned to the writer without additional postage, and if not delivered treated as a dead letter. Then, another important suggestion is that no employees of the Post Office shall canvass or solicit votes, accept the position of poll clerk or scrutineer, and that they shall not in any way encourage or take part in a political campaign under the penalty of losing their business. I have a letter here from an eastern town in which the postmaster appears to have been dismissed because he did not solicit votes for the Liberal candidate. In the recent by-election in the city of Ottawa, I am told on reliable authority, that A. Vallee, letter-carrier, Ottawa South, was outside scrutineer at polls 22 and 22a, and I understand that he wore his official clothing. If the Postmaster General allows his officials to act in that way right at his own door, what can he expect from officials away out in the western provinces, and, I have been informed by hon. members from the west that no post office official need expect favours unless he has faithfully served the Liberal party. If the Postmaster General would prohibit such conduct on the part of officials, he would

raise himself in the estimation of the people of Canada; he would have a more efficient postal service, and his department would not be subject to the criticism it now deservedly receives. I urge upon the Postmaster General that he should devote his best energies during the coming year to carry out the suggestions I have ventured to make. Then again, another suggestion is that there should be an investigation as to the cost of the service in its different branches. During the last year the United States government have been looking into that question, and they have discovered all kinds of waste.

Does the minister know whether or not the railway charges are reasonable? He may say they are reasonable, but investigation shows that he is paying over $500,000 more to railways than he was a few years ago. What is the rent of the average railway car per annum? Would it be cheaper for the government to put a 200 pound mail bag in the seat of a Pullman car and tack on it a regular first-class ticket to pay its fare than to pay what is now paid. I doubt if the minister could tell whether it was or not. Is it true that the government pay more to the railways for carrying the mails than is charged the express companies for carrying similar packages in the next car? The government pay $1,600,000 for steamship subsidies and subventions; if the minister would investigate and see whether he is receiving any reasonable or valuable return for that amount, he would be doing a public service. The principal sources of revenue are the postal charges on all classes of domestic and foreign mail, the fees on a registered letter, money orders and special delivery. Has the Post Office Department any reliable data on which to base calculations? Has it data as to the cost of different classes of mail, the special delivery and money order service? The United States postal authorities thoroughly investigated the subject recently, with the result that they found it possible to make enormous savings by improvements. On second class mail alone there was a deficit in the United States of $64,000,000, and on third class mail, $3,000,000. When the minister says it is impossible to give the people of Canada rural free mail delivery he ought to consider whether the many divisions of his department are not capable of saving a large amount by being thoroughly reorganized. Second class mail on the other side provided a revenue of only one cent a pound, while the cost of handling and transportation averaged 9 23 cents a pound. Magazines and other periodical publications, exclusive of daily newspapers, comprised about 60 per cent of the second class mails. The average haul of the magazine proper was 1,000 miles, while that of other periodicals not including daily newspapers, ranged from 550 to 1,000 miles. The daily newspapers averaged less than 300 miles

The weekly newspapers have still complaints to make as to their unfair treatment in this country. The minister made a serious blunder when he placed the weekly and daily newspapers under the ban he did some years ago, and was compelled shortly afterwards to take out of the treasury tens of thousands of dollars so that the daily papers might be placed in the position they were in previous to that blunder. Up to this time he has not placed the weekly papers in the position they ought to occupy. He will find that these weekly papers are constantly protesting against the unfair position in which they are placed in regard to circulation. I have here an editorial from the Hants Journal, of Windsor N. S., which voices the sentiment practically of every weekly paper in Canada. That paper says:

That Postal Burden.

A subscriber, in paying for the 'Journal,' says, I inclose post office order for $2, but owing to the matter of postage on papers to the United States imposed by your Liberal government (so called), a good deal of it will be taken up by arrears of postage. I hope, however, it will be sufficient. I still follow with a great deal of interest all the happenings in my old home town. I hope that in spite of the postage embargo your United States subscribers have not fallen off.'

We regret to say that a good many names have been struck from the list since the boycotting resolution came into force.

The Postmaster General seems to care little if anything as to how he injures the business of Canadian weekly newspapers by his burdensome postal imposition; the members of parliament, Tory and Grit alike, make no effort to get relief for the papers which stand by them and the parties they represent; and the daily newspapers, happy and contented so long as they do not suffer, say not a word on behalf of their confreres who are not fortunate enough to run big establishments and issue daily newspapers. Were the members of parliament less selfish they would rise as a body and demand that this injurious postage resolution be expunged; and if the gentlemen of the daily press would lend their aid and urge the government to do a simple act of justice to the country press, we should not have to complain much longer about this postal burden. But they are all so taken up with the Naval Bill and Dreadnoughts, that such a matter as that of injuring the business of the country press never occurs to them as one needing their attention, and so it is allowed to slide. There's lots of protection in evidence all over the Dominion, but none for the men who run country weekly newspapers, and who, perhaps, deserve greater consideration than many who rake in goodly profits under the fostering care of the government.

If our rulers refuse to grant us simple justice, perhaps relief may yet come from another source, for only a short time ago we read that President Taft, the great head of the country to the south of us, has been looking into this matter, and the views he entertains lead us to think that perhaps help may come to us from the neighbouring republic.

The Postmaster General knows that year after year we have called his attention to the fact that the weekly press throughout this country had been most unfairly dealt with, and while he may say he has stopped to a certain extent some of the papers coming in from the other side, at the same time he has let down the bars and allowed in some of the most corrupt literature from the old land, and cheap publications of different kinds. At the same time he has shut out valuable magazines and periodicals of an educative character that would be of great help to our people. The Postmaster General has absolutely forgotten the use of the mails. The franking privilege, as used by the departments, is open to serious criticism. The Postmaster General remembers that the franking system in force under this government has received very serious criticism from members on this side. Tons of political mail matter leave the departments to assist and promote one interest, the continuance of this government in office. The Post Office Department should make every other department give a definite statement of the amount of mail matter sent out by it. I might go on making suggestions, but I merely wish to devote the rest of my time to a matter which I believe is of greater interest to the people, especially those living in the rural districts. In the Saturday Evening Post, of February 19, 1910, that paper said:

> Rural free mail delivery has proved to be the most popular and beneficent branch of the whole postal service.

I know that if the Postmaster General had investigated the benefits derived from rural free mail delivery in the United States, Germany, France and England, he cannot come to any other conclusion than that the day is not far distant when he will be compelled to take a different position on this question. Instead of saying we will have to wait until we have a population of 20,000,000, he will find that in a very few years demands will come from the people in the thickly settled portions of the different provinces for this great convenience. To-day the minister cannot fail to see that the people are anxious that this service should be granted them. I know that all kinds of letters are pouring into his department and all kinds of criticisms are showered on him because of the paltry system he has now under way. That system simply means that the mails will only be delivered on existing mail or stage routes, and then only to certain portions of the country. But have not the people on the other concessions just as good a right to the advantages of rural free mail delivery as those who reside on existing mail or stage routes? Why should the men on these routes have their farms increased in value, as they undoubtedly are, by their enjoyment of the advantages that come from the delivery of the mails at their very door, and the people who live a mile or so away, perhaps in a more thickly settled portion of the country be deprived of these advantages? Let us look at what is being done in this regard. The Minister, on November 30, stated that he had 302 routes in operation, as I understand from the return on page 5883 of 'Hansard.' Last year I received a return on January 27, in which the minister distinctly stated that the 44 rural mail routes then in operation only cost this government $663.50, or an average of about $15 per route. Multiply the 302 routes not existing by 15 and you have an expenditure of only $4,530. Let us see where these 302 routes are located. In little Prince Edward Island there are 33; in New Brunswick, 15; in Kingston district, 23; in Toronto district, 38; in London district, 104; in Winnipeg district, 28; and I find away up in Edmonton, 13. How then can the minister hope to make the people believe that the system he has inaugurated has taken out of the Post Office Department any large amount of money—$4,530 according to that estimate. He does give an estimate here showing that the total increase in the cost of the mail service, including the service of rural delivery boxes for four years—I cannot understand why he puts in the four years—amounts to $55,000, when, according to his estimate of last year, the cost was only $4,500. I am well aware that if he will give rural free mail delivery as it ought to be given to the thickly settled portions in the older districts of Ontario and the other provinces, he will find that the expense will increase. But he will also find that in these provinces there is no great extent of territory that can be possibly covered by it. In the United States this system is governed strictly by regulation. It is impossible to have a route established there unless there are 100 families in the 24 miles, which is the standard route, and the shorter routes are compelled to have a proportionate number of families. 85 out of that 100 are compelled to distinctly contract to take the mail delivery at their doors and erect the boxes there. But I need not go further in the discussion of this subject as that has been gone over so many times before, but I want to call the attention to the fact that the time has come in some of the older provinces when the population is decreasing yearly instead of increasing in the rural districts. Take the province of Ontario, the deputy minister of that province made the statement that while in 1889 the population was 1,108,874 in 1899 it was only 1,047,016, showing a reduction of 61,858. The cities have increased in numbers but not the rural districts, and many people from the rural districts have gone to the Northwest where they can get the advantages which they do

not enjoy in the older provinces, and which advantages are a great inducement to people to remain on their farms. I appeal to the right hon. the Prime Minister to investigate this subject in so far as the thickly settled districts are concerned. We are not asking for rural free mail delivery in the partially settled districts nor are they asking for it in those districts in the United States, but the day is at hand when we must give to the people in the rural districts every advantage to induce them to remain on the land—not only telephones and electric cars, but free mail delivery at their doors. The expense of running a farm is far in excess of what it was years ago, and takes a lot of money to get the mails, especially when wages are so high as they are at present. Rural free mail delivery will bring the farms and rural communities in closer connection with commercial centres. It encourages the improvement of country roads, and by making rural life more attractive it stimulates agriculture. It has been the means of increasing the value of farm lands and has materially reduced the number of post-offices throughout the United States. While in the United States the number of post offices in the year 1900 was 76,688, this number has gradually been reduced, until in 1909 the United States has only 60,155 post offices. Therefore when the hon. gentleman talks of the deficit in the United States postal revenue and says that is due to rural free mail delivery, he should also take into consideration the great reduction in the number of post offices. While in the Dominion the number of post offices has increased, we find that in the United States, with its increasing population, the number has been cut down this last year by some 1,100 post offices. They saved, thereby, as distinctly stated in their report, $92,000. But the minister, with his present system of rural mail delivery cannot cut off any post offices, apparently. Taking the average increase in post offices previous to the establishment of rural free delivery there would be at present upwards of 100,000 post offices in the United States. The annual saving made through the reduction in cost of buildings, maintaining the 40,000 post offices with postmasters would still further reduce the deficit attributed to rural free delivery to something like $5,000,000. The installation of rural free delivery is followed by an increase in the amount of mail delivered, and collections. Such increase is not credited to rural free delivery. Additional evidence of the increase of the amount of mail passing through rural delivery is furnished in the fact that only 992 routes handled 25,000 or more pieces of mail during the three months ended June 30, 1907, and 3,232 routes 25,000 or more during the three months ended May 31, 1909. In 1907, 27 routes handled more than 50,000 pieces of mail, during the quarter ending June 30. In 1909, 95 routes more than 50,000 during the quarter ending May 31. On 35 of these routes the value of the stamps on mail collected for the period indicated exceeded $200. On 24 routes this item exceeded the carriers' salary. Page 4 of the fourth assistant Postmaster General's report gives a list of these routes showing the number of pieces handled, and the value of postage on mail matter collected during the three months ended May 31, 1909. On June 30, 1909, the service was in operation on 40,628 routes, and 40,499 carriers were employed. During the year 4,115 new routes were established. In 840 counties in the United States the service had been adjusted on June 30, 1909, so as to furnish rural delivery to the greater portion of the rural population. During the year 1909, 1,149 post offices were discontinued, the patrons of which are now served by rural free delivery, thereby effecting a reduction in the expenditure on the postal service of $92,000. There has been unprecedented improvement in the condition of roads traversed by rural carriers due to the intelligent and well directed interest of postmasters and carriers. The average increase of mail handled on rural mail routes of the United States in the last four years was 55 per cent in the average number of pieces of mail handled by a carrier. It is estimated that the daily travel of the carriers on routes now in operation aggregates 980,000 miles. Rural free delivery serves 20,000,000 people. The annual expenditure in 1905 for services in the post offices, salaries of postmasters, salaries of clerks, &c., city delivery not including railway mail service, or rural delivery service, or transportation, amounted, in 1906, to $51,000,000, while in 1909 it was over $102,000,000, an increase of $51,000,000—just double. The rural free delivery was not responsible for the increases in any of the branches I have suggested.

Last year, the minister said that 44 routes had been established in Canada, and the cost to the department had been only $663 per annum. The minister must remember that our largest immigration is coming from the United States, a country almost completely covered with rural free delivery routes. And if he will not undertake this work of free rural delivery these people will naturally hesitate before leaving the many advantages they now enjoy to be compelled to live in a country where such advantages are not even recognized. Let the minister appreciate this fact, that the United States has 40,000 rural free delivery routes in operation serving 20,000,000 of people. The system covers one million miles of road; the carriers cover 200,000,000 miles of road

each year, and handle over 200,000,000,000 pieces of mail.

I do not wish to take up further time, though the subject is such an important one. The present system of rural free delivery established by the Postmaster General merely leads to the creation of contention and strife in the rural districts. If he will go into the rural districts where these routes are in operation to-day, he will find that the people using them would not think of parting with the service, on the contrary he would find dissatisfaction and discontent in the districts that are not receiving these valuable services.

I trust the Postmaster General will take into serious consideration the suggestions I have made, and also that he will go throughout our land and investigate this question—not only the complaints he has heard here to-day, but will go into the rural districts and learn, as he surely will learn there, that the thickly-settled portions of the older provinces are most emphatically and earnestly ready to receive rural free delivery.

Mr. STEWART. I desire to say a word on behalf of the clerks employed in the city post offices, whose case has been already referred to by the hon. member for Hamilton (Mr. Barker), the hon. member for East Toronto (Mr. Russell), and others. I think there are no clerks in the Civil Service so poorly paid as the clerks I have referred to. I agree with the Postmaster General (Mr. Lemieux) that the Bill brought down last year dealt pretty fairly with the letter-carriers. But when the Postmaster General passes over the clerks employed in the city post offices and gives increases to the inspectors, assistant inspectors and men of that class—I am not finding fault with these increases; I am glad these gentlemen have got them—but when the hon. gentleman failed to remodel the salaries of these clerks he passed over a class of civil servants who much more needed an increase. I was much pleased to hear the Postmaster General himself admit that these clerks were not sufficiently paid, and state also that he intended at some future time to consider an increase for them. But they are not a very numerous class, and I do not think it would mean a very big task for his department to take into consideration the increase of salaries for that class of clerks. Some of these men have been in the service for from 25 to 35 years and are receiving now only $1,000. In the Hamilton post office there are among the clerks there men qualified to hold any position which might come their way, some of as clever clerks, I think, as can be found anywhere, and yet kept at a salary of $1.000, after, perhaps, 35 years work. The railway mail clerks are asking for an increase, and I should be glad to see them receive it. But I think that the clerks to whom I have referred are entitled to as high a salary as the railway mail clerks, who are off for one, two or three days in the week. I think that if the Postmaster General would take into his serious consideration the advisability of giving an increase to this class of civil servants he would be easily able to see his way to doing it at this time. I hope the minister will consider it and not put off the granting of this increase to another session.

Mr. HUGHES. Some time ago I wrote to the Postmaster General, inclosing copies of the 'Air Brake' magazine, a publication purely educational in the interests of railway men. The air brake, as the minister knows, is the apparatus which controls the speed of trains. Those in charge of this magazine believe that every railway man should have all possible information and instruction concerning this device. If these magazines were admitted free of postage into Canada, or under reduced postage rates, they would reach a large number of railway men who would be in a position to take advantage of the instruction the magazine contains. Has the minister finally decided what he will do in the premises?

Mr. LEMIEUX. If this publication, the 'Air Brake Magazine,' which I am sure is very useful to railway men, comes under the ordinary regulations, it should be admitted at one cent a pound. I am glad my hon. friend has brought this matter to my notice. I take a great deal of interest in these technical magazines, because of their educational character, and I desire to encourage their reading. I will have further inquiry made into the matter, and give my hon. friend an answer on Monday. I see nothing in the character of the paper which would prevent it from coming under our classification, which would admit it at the special rate existing between the two countries. Now I will say to my hon. friend the junior member for Hamilton (Mr. Stewart) that the question of raising the salaries of post office employees has been occupying the attention of the department for several weeks. We have dealt this session with the class of employees I referred to last night. The resolution giving another scale of salaries to superintendants, railway mail clerks, post office inspectors, assistant inspectors, and assistant postmasters has been accepted by the House. This is as much as we can do this session. But I have pledged myself that between now, and the next session of parliament I will see that a proper classification is made of the outside service in the larger cities, and will try to bring them under the very efficient legislation known as the Civil Service

Act which was introduced two years ago by the Minister of Agriculture.

Now, Sir, I will not attempt to answer all the questions raised by the hon. member for Lambton (Mr. Armstrong) this evening, because he has evidently prepared a very able brief on the whole range of postal questions. I must congratulate him on his address, and on his industry. Evidently he has found inspiration in the literature published in the United States. It is part of my duty to read that literature carefully. My hon. friend makes a mistake in comparing the two countries, especially on that vexed question of second class matter. I know as a matter of fact that a long investigation has taken place in the United States as regards the transportation of certain second-class matter by railway companies. My hon. friend asked whether I knew that in the United States something like $69,000,000 have been charged to the United States exchequer, to the dismay and surprise of the Washington authorities, because it had been practically a robbery from the people. Well, my hon. friend has unwittingly made a mistake in comparing Canada with the United States as regards second class matter. The system we have in this country is entirely different from that in the United States as regards the transportation of second-class matter by railway companies. That matter in the United States is transported according to weight, at one cent a pound, whilst in this country we have a mileage basis. For instance, a baggage car service costs the country four cents a mile, a postal car service costs eight cents a mile. That is the basis of the expenditure for the transportation of second-class matter from one end of the country to the other. Is our system much better than the United States system? Certainly it is, from a post office point of view. I have here an extract from the evening 'Journal,' of New York, of February 5, 1910, in regard to the investigation which was recently held in that country. The title reads, 'Another polite question to Mr. Taft.'

Mr. Taft, our president, said that the people were subsidizing magazines because the mail carried magazines for a cent a pound, and he said they actually cost the government nine cents a pound to carry the magazines.

That is where the robbery takes place, it is done by weight, whilst in this country we have a uniform basis of a mileage system with the railway companies.

We would like to ask Mr. Taft one question. You say that the United States government loses $64,000,000 a year because it carries second-class mail matter, magazines, and so on, for one cent a pound. Do you know that in Canada the post offices carry second-class mail matter for a quarter cent a pound and makes a profit of a million dollars a year?

Mr. LEMIEUX.

That is the opinion of an American newspaper on the two systems.

Mr. U. WILSON. Is it true?

Mr. LEMIEUX. It is perfectly true, so much so that at present the railway companies of Canada, the Canadian Northern, the Canadian Pacific railway, and the Grand Trunk railway are knocking at the door of the Post Office Department in order to obtain a new basis of mileage. They say they are losing money, that to-day their mail cars are filled with such matter, and that they receive only the same amount of money as if they were empty.

Mr. ARMSTRONG. Are those roads running to the west on long hauls through the western districts, filled with second-class matter?

Mr. LEMIEUX. If my hon. friend could see them at this season of the year, when immigrants are coming into the country, or during the Christmas season, and the Easter season, if he could see the mail cars of the Canadian Pacific railway, and the Canadian Northern he would be surprised. The system is completely different in the United States, and the tendency in that country to-day is to adopt the Canadian system. Once more they have to come to Ottawa to learn something in business management.

Mr. U. WILSON. How are the railway companies paid for carrying mail matter—by the car or by the pound?

Mr. LEMIEUX. They are paid on a mileage basis.

Mr. U. WILSON. You pay no more for a full car than for one half full?

Mr. LEMIEUX. No.

Mr. U. WILSON. You have the use of the whole car if you want it?

Mr. LEMIEUX. We have the use of the whole car.

Mr. U. WILSON. And you pay so much per mile whether the car is empty or full?

Mr. LEMIEUX. I said a moment ago that we paid four cents a mile for a baggage car and eight cents a mile for a postal car. Some of the companies carry mail at the rate of two or three cents a mile. This rate is given under old contracts which were made before confederation and which have been continued since, but the regulation to-day is four cents a mile for a baggage car and eight cents for a postal car.

Mr. SPROULE. I wish to ask the minister a question with reference to mail-cars. He says that we are charged eight cents a mile for a postal car. It should be a postal car, in my judgment, up to a certain standard where the occupants would be comfort-

able and would have suitable conveniences to enable them to do their work. How many new mail cars have been built and placed on railway postal routes in Canada during the past five years? Where are they in use? What reports or complaints have been made to the department or superintendent of the railway mail service by railway mail clerks in regard to the unfitness of the mail cars during the last year, or the last six months? Have there been any, and, if so, how many complaints that the health of the railway mail clerk suffers from the unsuitableness of the cars they occupy while discharging their duties? Have complaints been made as to the imperfect heating of these cars, and are the railway companies building, with any degree of rapidity, new and suitable cars for the mail routes that are used to-day?

Mr. LEMIEUX. A similar question, perhaps not so complete, was asked the other day, and I gave the answers. It is on 'Hansard.'

Mr. SPROULE. I put that question, but it was very much narrower.

Mr. LEMIEUX. If the hon. gentleman will put his question on the order paper, I will be very pleased to give a proper answer. I know that the railway companies have improved the standard of the mail car. We have made representations to them during the last three or four years. When I was Minister of Labour I did remonstrate with some of the companies which really were not giving our railway mail clerks the accommodations that they were entitled to as human beings. There are a number of difficulties which cannot be easily overcome. For instance, the railway mail clerks were asking that the mail car should be placed at the end or the centre of the train instead of next to the locomotive. Well, that is a difficult question. The mails have to be delivered at a certain point on the platform, and it would create delay and cause trouble in the service. But, as regards the hygienic conditions, the railways have manifested a very sincere desire to improve the condition of the cars. I cannot state the number of cars built on the new system within a year or two, but I will get the statistics at a later stage.

Mr. SPROULE. I merely read these questions so that they will be on 'Hansard,' and so the minister will be enabled to answer them later.

Mr. LEMIEUX. The hon. member for Lambton opened his remarks by stating that advertisements were appearing in a paper called the 'The Canadian Farm.' I am glad that my hon. friend brought that paper to the notice of the House. The 'Canadian Farm' is owned by a well known Conservative in Toronto, and it has a large circulation amongst the farmers of Ontario. It is a proper medium in which to insert advertisements of the post office for rural services in the districts adjoining Toronto. I do not think that fault should be found with our department for choosing that medium for advertising purposes. The hon. gentleman says: You have a surplus; cannot you give some increase to your railway mail clerks? I think I have answered that question to the satisfaction of the hon. gentleman. My hon. friend spoke of the expenditure in the Yukon district, and compared it with the expenditure of other sections.

Mr. ARMSTRONG. In Dawson city.

Mr. LEMIEUX. In Dawson city. Well, we must take a broad view of this subject. It is all very well to say that we draw hardly any revenue as compared with the expenditure in the Yukon territory, but I claim it as a matter of pride for Canada that one can send a letter from Halifax to Dawson at two cents whilst a letter sent from Dover in England across the channel to Calais would cost five cents. It is true that we do not derive a large revenue from the Yukon district, but the Canadian mails are just as safe in that district to-day as they are in the city of Toronto or the city of Ottawa. In the Yukon district we have a large settlement composed of miners. We have a service equal to that in any other section of the country. With the fair surplus we have I think it is only right that we should give our hardy Canadians who have been settling and opening that district to civilization a proper mail service. It costs some money—$140,000 a year. For the railway mail service alone across the White Pass we have to pay something like $60,000 a year. That is the only accessible route through which our mails can pass, and I must say to my hon. friend that not only is the Yukon service a service for Canada but partly for the United States. We are spending some money in Dawson. We pay the postmaster $5,000 a year but Mr. Hartman, the postmaster, with $5,000 receives less than some postmasters who are paid $2,000 or $1,500 in this section of the country. My hon. friend knows that rental, provisions and clothing in the Yukon cost twice and thrice as much as in other sections of this country. My hon. friend says that there has been an increase in the expenditure. That I do not deny. It must be remembered that the inland letter rate has been reduced from 3 cents to 2 cents; the letter rate from Canada to the United States reduced from 3 cents to 2 cents; the letter rate from Canada to Great Britain and all other portions of the British empire reduced from 5 cents to 2 cents, and the rate on drop

letters for city delivery reduced from 2 cents to 1 cent, which is the lowest rate for this service in any country in Europe or America. Then again, the rate on Canadian newspapers and periodicals sent from publishers in Canada to subscribers in Great Britain and every part of the British empire has been reduced from 3 cents per pound to ½ cent per pound, and the rate on Canadian newspapers and periodicals sent from publishers in Canada to subscribers in Great Britain and every part of the British empire, has been reduced from 2 cents per pound to ½ cent per pound, and the rate on Canadian newspapers and periodicals sent by the general public in Canada to correspondents in Great Britain and all parts of the British empire has been reduced from 8 cents a pound to 4 cents. The reduction in the rates on newspapers sent by publishers in Canada to subscribers in Great Britain tends to a wider dissemination of Canadian newspapers and other publications and has made better known to the world the wealth and industries of Canada. Then, the parcel post rate between Canada and Great Britain formerly provided that a parcel not exceeding 3 pounds in weight would cost 1 shilling and the scale ran up to 11 pounds for 3 shillings. Now, on Canadian parcels to the United Kingdom the rate is brought down to 12 cents a pound. The Canadian 'Gazette' commenting on these reduced rates says:

> Those reductions are a welcome sequel to the penny post, and must cut yet deeper the channels of closer connection.

My hon. friend (Mr. Armstrong) spoke about the rating of our post office employees and I may tell the hon. gentleman that every man is traced in the Post Office Department from the day he enters it to the day he leaves. As to the city post offices we have monthly reports from our inspectors and I think it may be said that we follow very closely our employee. I may also tell my hon. friend that I have given notice as publicly as possible that the employees must not take part in politics; that they must do their duty towards the country that pays them and that they jeopardize their positions if they take an active part in politics. My hon. friend knows my views on rural mail delivery, and I think it may be said that our system has made fair progress since its establishment. We have made a modest beginning and we are proud of it because it is working smoothly and well. We have quite a large number of routes in the province of Ontario. I do not believe that we should have supplied the farmers with free boxes because I think it would be imprudent on our part and it would be beneath the dignity of the farmers to accept them on such conditions. Under the present condition the farmer pays the cost price of the box and he gets a good service. Let me point out to the hon. gentleman that in the United States last year the postal receipts amounted to $203,000,000 and the expenditure to $221,000,000. My hon. friend says that the rural mail delivery has done away with many post offices in the United States, and while that may be true the fact remains that in the United States, with their very extensive system of rural mail delivery, they rolled up last year the handsome deficit of $17,441,000. I do not think we can afford to follow the example of the United States in maintaining such an expensive luxury. We are going on quietly and gradually in Canada and I think we are on the safe side. The time will come when we will have a large population in this country, and if the Post Office Department is administered as well then as it is now it may be taken for granted that we will have King Edward boxes at the door of every farmer in Ontario and the western provinces. Our post office revenue last year was $7,401,000 and our expenditure $6,592,000. For my part I would rather keep within these conservative lines than go the pace they have gone in the United States which would no doubt result in a comparatively equally large deficit.

Mr. ARMSTRONG. Does the minister seriously think that with our population of 7,000,000 and their population of 90,000,000 we would lose in proportion the same amount of money as they did?

Mr. LEMIEUX. We have a small population and a small revenue compared with the United States but we have at the same time a larger territory than they have. The expense is not in the box itself, that is a very small matter, but it is in the laying of the route, in getting new routes and new couriers, and giving out new contracts to cover that immense territory. That is where the cost comes in. From the figures I gave the House the other day, my hon. friend will find that the increase in the expenditure under the head of rural mail delivery in my department comes from the fact that we have been obliged to do away with the existing mail service as between one office and another office and replace it by another service to cover each box on the route. That costs three times as much. As our territory is as large as or larger than the United States, if we were to go on with the system as lavishly as the United States has gone it would cost the country too much money and I wish to remain on safe lines.

In conclusion I wish to say that this department has been well administered by my predecessor, Sir William Mulock.

and it shall be my ambition in the future to administer it as well as he did; my only ambition is to follow in his footsteps.

Mr. SINCLAIR. The method of rural delivery is not applicable to all parts of the country. I have in mind routes in my constituency where the route is from 40 to 50 miles in length, and a good deal of the travelling by the courier is done at night. It would be impossible for him to open the boxes along his scattered route and deliver the mail to the people and reach the end of his route in any reasonable time. Where the country is laid off like a checkerboard and thickly settled and the routes short the system may be applicable, but I do not think it can apply to certain districts I have in mind. Of course this is our misfortune, but I think some consideration should be given to the distances between post offices. I have been told by officers of the department that the rule is to place post offices not closer together than four miles. Two miles is a long distance for a farmer to travel every day for his mail. If it is impossible to accommodate these people by rural mail delivery, I would suggest that the minister should increase in those places the number of post offices. It does not cost much to furnish a post office and it is a great accommodation to the people, because it lessens the distance to be travelled. I find that it is difficult to obtain the rural mail delivery because one applicant does not count, you must secure a large number, I believe a majority along the route, to apply for the accommodation before you can get it. Take for example a route 50 miles long with 100 or 200 families living along it. Who is to organize the application, who is to find out how many people will take the boxes and join in the system? It is an impossible task for the individual farmer or resident who desires to secure the accommodation. I have had applications of that kind and have had to tell the people that they must get a majority along the route to join before they could get the accommodation of rural delivery boxes. It would take weeks and months to canvass and ascertain if it would be possible to secure that number. I trust the minister will take into consideration the necessity of revising his rules with regard to the distance between post offices. So as to give the people in the country districts more accommodation.

Mr. J. D. TAYLOR. What is the department doing in the matter of a largely signed petition from Central Park asking for an inquiry into the circumstances connected with the closing of that post office? This petition was addressed to the department in February last, and bore 175 signatures of persons who had been deprived of their mail facilities by the action of the department.

Mr. LEMIEUX. The facts are not fresh in my mind.

Mr. J. D. TAYLOR. I think this matter should receive the minister's personal attention. Last summer I wrote a personal letter to the minister and Mr. Cowan also wrote. To these letters we received no reply, except an acknowledgment from an official of the department, saying that the letters would be submitted to the minister on his return. That post office had been established for 14 years, but now it has been closed, depriving about 300 families of their postal facilities. I know that the facts have been misrepresented to the department, and it was because of that knowledge that I addressed a personal letter to the minister. I regret to find from the minister's lack of knowledge to-night that the matter has never come to his attention at all and that he knows nothing about the subject. The matter originated through a complaint from residents of Central Park against the management of the post office there. For several years the inspector has been reporting to the department that the post office was mismanaged. For at least four years these complaints went on without action, the then postmaster was allowed to continue in office and the dissatisfaction continued; but finally last summer the matter seems to have been brought to a crisis by the receipt of a largely signed petition asking the Postmaster General to investigate the matter. Then the Postmaster General wrote, not to the inspector or to any person in authority there, not to the member for New Westminster or the member for Vancouver, whose districts this post office serves, but to a gentleman whose existence I heard denied in this House this afternoon. This letter was addressed by the deputy minister to this gentleman, who, we were assured this afternoon, had ceased to exist—the administrator of the patronage of the department for the district of New Westminster.

Post Office Department, Ottawa,
June 28, 1909.

Robert Jardine, Esq.,
New Westminster.

An hon. MEMBER. Who was he?

Mr. J. D. TAYLOR. He is the gentleman who aspired to the position I occupy just now, but whose aspirations were disappointed:

Dear Sir,—I beg to draw your attention to the communication addressed to you on the 25th ult., on the subject of the postmastership of Central Park, and asking you to nominate some suitable person who could be appointed to the position. Kindly advise me in the matter at your earliest convenience.

Yours very truly,
R. M. COULTER,
Deputy Postmaster General.

This was written following an advice from the post office inspector recommending, not that the post office should be changed from Central Park, but that the Post Office Department should act on his advice frequently tendered, and appoint a new postmaster. The answer to that was as follows:

New Westminster, June 24, 1910.

Hon. R. Lemieux,
Postmaster General.

Dear Sir,—Referring to your 29755, I beg to recommend Mr. A. K. Farquharson as postmaster of Central Park. The district served by this office is rapidly filling up, and it has been urged that the office be moved to a more central location. I will take up this matter with the inspector, who will, no doubt, make recommendation regarding to same.

Yours faithfully,
ROBERT JARDINE.

As regards the importance of Central Park district, I might say that the department had received information from its own inspector that the district was growing rapidly, and he urged, therefore, that attention might be paid to his complaint. Here we have for the first time from this Mr. Robert Jardine, the administrator of patronage for the Westminster district, the suggestion to the Postmaster General that he should close the office at Central Park, and remove it to another place. That was the origin of the closing of that post office which had been established for fourteen years. That suggestion was interpreted by the department, in the answer made by the hon. minister as:

Representations made to the department that by changing the location of the post office and establishing a post office at Collingwood east, the interests of the majority of the residents would be best served.

Following this, and without the people interested having been given any information on the subject at all, when they went to their post office at Central Park, one Saturday evening, they found a written notice along side the delivery wicket as follows:

This post office will be closed to-night. After to-night you will get your mail at Keefer's.

Yet the Postmaster General told us that the Central Park post office was not closed, but that the post office had been merely removed to Keefer's. I would like to tell the hon. gentleman where Keefer's is, as he should know what is being done in his name in that district. Nearly all the people at Central Park have to make their living in Vancouver, which is six miles away, and in going to Vancouver they pass the Central Park post office every day. Keefer's is one mile further away from Vancouver than is Central Park, and none of the residents of Central Park have occasion to go to Keefer's in the ordinary course, and they would never go there unless compelled by the department. From Vancouver the settlement extends out six miles to Central Park, and there is a post office at every mile on the way out. The Central Park office is the pioneer of them all, and is one mile from Collingwood East.

Mr. LEMIEUX. You say that post offices are established between Central Park and the city of Vancouver.

Mr. J. D. TAYLOR. Yes, at Grand View, Cedar Cottage, Britcola, and Collingwood East. Then comes Central Park, the oldest and most thickly settled place, and the pioneer of them all, and the post office there was arbitrarily closed. Some 312 persons who used to get their mails there regularly were deprived of that advantage, and they petitioned the department, asking the Postmaster General to give his attention to the matter. As evidence that the public were not being served by the change, the people of Central Park got up a large public meeting, the largest ever held there. They first telegraphed the minister as follows:

Vancouver, British Columbia,
August 2, 1909.

Postmaster General, Ottawa.

Large public meeting at Central Park to-night protest against removal of post office to Keefer's. Resolution and petition following.

MAXWELL SMITH.
JAMES MACMASTER,
EUGENE CLEVELAND,
Committee.

I may say that I attended that meeting by invitation, and that meeting was the largest ever held in that district. A resolution was there carried unanimously as follows:

That this public meeting of the residents and ratepayers of the Central Park district duly called and assembled this 2nd day of August, 1909, do hereby endorse the petition to the Postmaster General just read, protesting against the removal of the Central Park post office to Keefer's or any other point more than 500 yards from the present Central Park station. And be it further resolved that a copy of this resolution be forwarded along with the petition to the Postmaster General; and be it further resolved that a telegram be sent to-night to the Postmaster General advising him of this action; and be it further resolved that copies of this resolution and the heading of the petition be forwarded to the local post office inspector and local members of parliament.

I would like to read the letter which I addressed the Postmaster General at that time:

New Westminster, British Columbia.
August 9, 1909.

The Honourable the Postmaster General,
Ottawa.

Dear Sir,—As member for this district I have been requested to address you in connection with the closing of the post office at Central Park and the opening in its stead of an office at Keefer's, more than a mile distant from the late office, which was central to the population to be served. I have expressed to

these people at their public meeting my confidence that the facts of the case could not have been before the department when the order for the closing of the post office at Central Park was issued, and I trust your action on the petition now before you will bear out this view.

Offices are needed at Keefer's and at East Collingwood as well as at Central Park; but so long as there is only one office authorized Central Park is the natural place for it.

Faithfully yours,
J. D. TAYLOR.

Mr. Cowan also communicated with the Postmaster General as follows:

Vancouver, August 4, 1909.

The Hon. Rodolphe Lemieux,
Postmaster General, Ottawa.

Sir,--A committee appointed by the residents and ratepayers of Central Park to protest against the removal of the post office from that point, have asked me to communicate you my views on the subject.

This settlement is centrally located between the cities of Vancouver and New Westminster, on the interurban tram line. It was one of the first, if not the very first, settlements between the two cities, and is growing very rapidly. Many of its residents have located in business and established their homes there, just because of such public conveniences as the post office. Owing to the contour of the country and the present direction and state of the public roads, the removal of the office from Central Park to Keefer's must result in rendering it practically useless to the Central Park residents, and for the present, at least, of service to a much smaller number of the public. At any rate, whatever the public needs at Keefer's, they would seem to me to be such at Central Park, as without a doubt require retention of the post office at that point.

I am taking the liberty of writing you because I am confident that you will look into the circumstances and do what is in the public interest in the premises.

I have the honour to be, Sir,
Your obedient servant,
GEO. H. COWAN.

I am sorry I weary the minister. But I assure him that the people affected by his action have been made a great deal more tired than he can possibly be made by this recital. Backing up these protests by the public meeting and the two parliamentary representatives of the district, there was forwarded a petition to the minister, bearing the names of 312 persons affected. The attention paid by the department to that appears to have been nil. To each of the communications so sent the stereotyped answer was given that, in the absence of the Postmaster General the letter is acknowledged, and as soon as the minister returns the matter will be brought to his attention. It seems to me that it has never been brought to his attention.

Mr. LEMIEUX. Yes, it has.

Mr. J. D. TAYLOR. When I asked the minister about it just now he evidently knew nothing about it.

Mr. LEMIEUX. There are 15,000 post offices in the country and I do not pretend to remember every particular case.

Mr. J. D. TAYLOR. I would like to say that the only reasons the minister got for that removal were got from Mr. Jardine, administrator of the patronage of the New Westminster district. This patronage that was said to be defunct is not defunct, so far as my riding is concerned, nor so far as his department is concerned. The patronage in New Westminster district alone I would like to make plain to members of the House, is worth to the person administering it, more than the salary of a cabinet minister, and it is to gratify the desire of the administrator of the patronage to establish at Keefer, and in the house of a supporter of his party a post office which would take the name, and therefore, I suppose, the salary attached to the Central Park post office, this cruel injustice has been done to all these people. I say it is a most callous misuse of the authority of the department. I say that, if the minister could visit Central Park and see for himself, and be put in possession of the circumstances of the case, I feel satisfied that he would not allow the present state of affairs to continue for a moment. I may say to the minister that there is in his department much more information than I have given because the people went to the trouble to get a landscape photographer to make photographs of the district of Central Park, to show that this was really a town, and photographs also, I believe, of the new post office at Keefer to show that Keefer was only an ordinary rural settlement, with the residences widely scattered and that there was no comparison at all between the two locations. But all this effort seems to have gone for nothing against the recommendation of the administrator of the patronage, and the endorsement, the sole endorsement received, of two gentlemen calling themselves the Liberal Association of Central Park. These two gentlemen do not represent even the Liberals of Central Park.

Some hon. MEMBERS. Who are they?

Mr. J. D. TAYLOR. I do not wish to read their names. It is a shameful thing that they have signed their names to the resolution of the association as given in the return.

Some hon. MEMBERS. Read the names.

Mr. J. D. TAYLOR. I do not wish to read them, because it is a cruel thing they have done to their neighbours and have caused the Postmaster General to do. The answer that has been made is that there is a report from the inspector favouring this change. I wish to say that this report appears to have been dragooned out of the inspector. Before he saw the administra-

tor of the patronage he had a very different idea of the local situation from that which he had afterward. Before he saw this patronage monger, on the 10th May he wrote recommending the appointment of a new postmaster and saying:

Central Park is becoming rather an important place——

Yet that is the place the Postmaster General has wronged by closing the post office.

——and I therefore consider that it would be both in the interests of the general public and the department if, as recommended in my report, No. 164, of the 5th August, 1905, 'The office be declared vacant and a new appointment made.

I have the honour to be, Sir,
Your obedient servant,
JOHN R. GREENFIELD,
Post Office Inspector.

Now, Mr. Greenfield appears to have been touched some time later. On the 2nd July, some seven weeks later, he writes:

Sir, I have the honour to report that on the 28th ult., I received a telephone message from Mr. Robert Jardine, advising me that in connection with a proposed change in the Central Park post office he had informed the department that a suggestion had been made to change the site of the post office to Keefer's Station, and that he would ask me to furnish a report in the matter.

When I inquired about the matter in the House, I was told by the Postmaster General that this change was made at the suggestion and on the recommendation of the post office inspector. Although that is true in a sense, it is not accurate, it is misleading, because, while the post office inspector was dragooned into committing himself to the suggested change, he makes it perfectly clear that Robert Jardine had informed the department that the suggestion had been made:

I therefore visited the place on the 29th ult., and fully discussed the matter with Mr. Alex. Kerr Farquharson, whom Mr. Jardine requested me to see——

The trail of the serpent is over it all.

—with the result that I found that there was a very strong feeling.

A strong feeling on the part of Mr. Alex. Kerr Farquharson, who as it turned out, got the job and presumably the salary, because the salaries are based on last year's business. The minister says this is the same post office, though the two places are a mile apart, the one called Keefer and the other called Central Park, and there are two or three other places with different names between the two. The minister says it is the same post office, although it is not even on the same road. One is on the main road, and the other is on a cross-road. I say this, not to reflect on the minister's integrity, or to intimate that he deceived the House because of desire, but I do say that those statements which were put into the mouth of the Postmaster General to deliver to this House to do so, are not in accordance with the facts. This report is the product of the direction he received from the administrator of the patronage in that district, and is not at all in accordance with his previous reports. One would think that these people were themselves the best judges of whether the Postmaster General had conferred a favour on them. I have a letter addressed to me on the 16th of February, 1910, which reads as follows:

Dear Sir,—Herewith I have the honour to send you a petition from the residents of this neighbourhood, which I feel sure will have your earnest attention. It is by no means as complete or as large as it could have been, as many men are away from home when called upon. Nevertheless, I am inclined to think it is of such importance as to call for a full inquiry, which I trust will have the result of the re-establishment of the post office at Central Park. From a perusal of the doings in parliament at Ottawa, I notice it has been stated that the above post office has not been abolished but only removed to a more convenient position in the same district. This is a misleading statement, as you will be able to point out, knowing the district as you do. In fact, I may say that some of us contemplate having our mail addressed Vancouver City, as that, although six miles away, would be more convenient than the present arrangement. I further venture to suggest that three offices are more needed now than was one which was established fourteen years ago.

I am, Sir, very sincerely yours,
HERBERT LISTER.

That accompanies a petition addressed to the Postmaster General as follows:

Sir,—We, the undersigned, have the honour to respectfully approach you with regard to the abolition of the post office at Central Park. We have heard through Mr. Lister that you are unable to re-establish the said post office, and that you were induced to act as you did upon information given you.

We have the honour to request that an official investigation be held as to the facts of the case, and we are respectfully confident that you will then see fit to reconsider our request.

This is signed by 175 residents injuriously affected by the change. Now it would have cost the Postmaster General about $200 a year, at the outside, to have established a new post office at Keefer's, which the growth of that district calls for, and to have left the post office at Central Park as it was under new management, in charge of the competent person recommended in one of these petitions by the residents of Central Park. I ask why he should do so cruel an act as to destroy the convenience, and the happiness of those people of Central Park with the result of saving to his department only $200 a year? I am glad now to see that the Minister of Inland Revenue has come into the House, as he is the minister in this government repre-

senting British Columbia. No more cruel wrong has ever been done to any one than has been done by his colleagues in this government. The Minister of Inland Revenue is the minister who will be blamed for this when he appears again in that district. I am quite sure that when he does visit that locality he will be just as earnest as I am in saying that this office never should have been closed, and he will admit, once he becomes conversant with the facts, that if he had known them, and had been able to post the Postmaster General, nothing of the kind would have occurred. In conclusion I wish to urge upon the Postmaster Geenral to act upon this petition addressed to his department in February, and cause an inquiry to be made into the whole case, and if he will do that I feel sure the immediate result will be the reopening of the post office at Central Park.

Mr. LEMIEUX. I wish not to speak long, because the hour is so late. But I cannot let pass the statement made by the hon. gentleman that I was kept in ignorance of the facts concerning the Central Park post office. My hon. friend will be in office some day, and he will probably know that it is difficult for a minister to keep fresh in his mind every report which comes before him. This question is not new to me, and I know it better now that my hon. friend has laid the facts before the House. When I gave the answer to my hon. friend in this House some time ago, I imparted all the facts which were in the department. I wish to state to my hon. friend that it is hardly fair to Mr. Greenfield, our very able post office inspector in British Columbia, to state that he might have been influenced by Mr. Jardine or any one else in making his report to the Post Office Department. My hon. friend knows that Mr. Greenfield is not an appointee of this government, he was appointed by the late government. I am well acquainted with him, and have travelled with him on the Canadian Pacific Railway, and I know he is one of the most conscientious men there is in the post office service of this country, and he would yield to no pressure. Therefore, when my hon. friend insinuates that he had been influenced by Mr. Jardine——

Mr. J. D. TAYLOR. He says so.

Mr. LEMIEUX. No, my hon. friend has read only two lines of the report. I think it is only justice to Mr. Greenfield that the whole report should be read, so that the facts may be fairly put before the House. As they say in French it is a 'querelle de clocher', it is a village quarrel.

Mr. J. D. TAYLOR. No, it is not a village quarrel.

Mr. LEMIEUX. Well, it is a town quarrel.

Mr. J. D. TAYLOR. At Central Park there is a large settlement, it is to all intents and purposes a town, but at Keefer's there is no settlement. The people of Central Park do not travel towards Keefer's at all. It is just as if you told the people of Ottawa to go to Brittania for their mail.

Mr. LEMIEUX. Here is the report made by Mr. Greenfield:

Post Office Inspector's Office,
Vancouver, July 2, 1909.

Sir,—I have the honour to report that on the 28th ult. I received a telephone message from Mr. Robt. Jardine, advising me that in connection with a proposed change in the Central Park post office, he had informed the department that a suggestion had been made to change the site of the post office to Keefer's Station, and that he would ask me to furnish a report in the matter. I therefore visited the place on the 29th ult., and fully discussed the matter with Mr. Alexander Kerr Farquharson, whom Mr. Jardine requested me to see, with a result that I find that there was a very strong feeling in favour of the change, and by changing the site of the post office to the McKay road, the name of the railway station being 'Keefer's,' it would be more central and convenient for the whole neighbourhood. It would also more evenly distribute the offices between New Westminster and Vancouver along the line of the British Columbia electric railway, which are as follows: Grand View, Cedar Cottage, Britcola, Collingwood East (proposed, see report to Postmaster General, No. 135, 9th June, 1909), Central Park, and 'Edmonds,' a report on which I hope to forward in the course of a few days.

I wish to state here that my hon. friend and the neighbourhood of his constituency are not so badly treated. We find a post office at every mile between Vancouver and New Westminster.

Mr. J. D. TAYLOR. We need them.

Mr. LEMIEUX—(reading).

As it is now, the proposed office at Collingwood East is rather too close to Central Park, but by changing the site to Keefer's, the two offices would then be a mile and three-quarters apart. The change would also be more convenient for the people living on the Jubilee road, who have on two occasions applied for a post office (see reports No. 886 of the 29th June, 1908, and No. 104 of the 6th May last). The proposition is to change the site of the Central Park post office, without change in name, from the present site, to the residence of Mr. Alex. Kerr Farquharson, lot 14, subdivision of block 15, McKay road, which by the road is about three-quarters of a mile southeast of where the office is now located, as shown on the accompanying map. It is reasonable to suppose that the few people now residing immediately contiguous to the present site will oppose the change——

Here comes the village quarrel; yet this is a change that is recommended by Mr. Greenfield without any prompting from Mr. Jardine.

—but considering the question as a whole, and from a strictly post office point of view, I consider that the change is advisable, as it will provide more convenient accommodation for the greater number of the settlers in that locality, and I, therefore, respectfully beg to recommend the change in site of the post office as herein set forth.

I have every reason to believe that the present postmaster will oppose the change, and place as many obstacles in the way as possible, and as he is contractor for the conveyance of mails at Central Park, he will require the usual three months' notice at the termination of his contract, should the proposed change in site meet with your approval, and I therefore beg to ask that I be advised of the intention of the department in the premises at as early a date as possible, so that the postmaster may be notified accordingly. Mr. Farquharson will be willing to carry on the service between the proposed site and Keefer's Station on the same terms and conditions as it is now being performed for at Central Park, so that the change will not involve any additional expense to this department.

I have the honour to be, Sir,
Your obedient servant,
(Sgd.) JOHN R. GREENFIELD,
Post Office Inspector.

Suppose that the hon. gentleman is in my place in the Langevin block. I am not a resident of British Columbia—I know a little of Vancouver and New Westminster—but I receive a report, framed as this report is, signed by Mr. Greenfield, one of the most conscientious officers of the whole service.

Mr. CAMPBELL. He must be a Conservative.

Mr. LEMIEUX. He is a good Conservative. There are lots of good Conservatives —who denies that? I am put in possession of this report and I am asked to act. I have to act. What shall I do? Will my hon. friend say that with such a strong report as that which I have read just now I should fold my arms, and say: I will not act. I take the whole responsibility of the change.

Mr. J. D. TAYLOR. Why?

Mr. LEMIEUX. I take the whole responsibility of the change on the strength of the report furnished to me by my officer, Mr. Greenfield. I must rely upon some one. I must take the responsibility. I trust my officials. If Mr. Greenfield has done contrary to what he should have done, if he is at fault it would be a different thing, but I do not believe he is at fault from the report which he has written.

Mr. J. D. TAYLOR. What about the petition?

Mr. LEMIEUX. Well, in every case where there are changes I receive petitions and counter-petitions and finally I accept the verdict of the post office inspector who is, as my hon. friend admits, a man above suspicion. I must accept guidance from the officers who are on the spot and who are the best judges. That is what I have done in this instance. I bear no ill whatever. I do not know Mr. Jardine and I do not know the people of Central Park.

Mr. J. D. TAYLOR. But you give him the patronage.

Mr. LEMIEUX. I do not give Mr. Jardine any patronage. There is no harm in consulting a man of Mr. Jardine's reputation as regards an affair of this kind.

Mr. J. D. TAYLOR. The people of Central Park think there is.

Mr. LEMIEUX. Does my hon. friend think that Mr. Jardine is not to offer any friendly advice in a case like this?

Mr. J. D. TAYLOR. Friendly to whom?

Mr. LEMIEUX. Friendly to the community.

Mr. J. D. TAYLOR. Friendly to Jardine.

Mr. LEMIEUX. What benefit does Mr. Jardine derive from a change of this kind? Has he any pecuniary interest?

Mr. J. D. TAYLOR. As I told the minister the administration of the patronage in the New Westminister riding is worth more than the salary of a cabinet minister.

Mr. LEMIEUX. My hon. friend makes a very serious charge there——

Mr. J. D. TAYLOR. Absolutely correct.

Mr. LEMIEUX. Against Mr. Jardine.

Mr. J. D. TAYLOR. Against the government.

Mr. LEMIEUX. No, but against Mr. Jardine because Mr. Jardine would be the man who would illegally and unlawfully profit by any such rake-off. I understand that this is the meaning of my hon. friend's language. I do not believe that on second, sober thoughts my hon. friend would insist upon stating that Mr. Jardine makes any such rake-off as that out of this patronage if you can call patronage the advice given as to a change in the site of a post office.

I believe my hon. friend (Mr. J. D. Taylor) is exaggerating a little, but I think after hearing the report of my officer he will come to the conclusion that I personally could not take any other course than I did. I do not wish any injustice to be done to the people of Central Park and so I shall take the file again and look

over it closely and see that justice is done.

Mr. J. D. TAYLOR. I am much obliged to the minister for his promise that he will look into the circumstances of this case, and if he does there can be only one result. I have known Inspector Greenfield for many years; I knew him before he and I ever were in British Columbia, and knowing him as I do I am all the more surprised to hear that report. I would remind the minister that he has numerous reports from Mr. Greenfield about the Central Park post office, among others the one I read to-night dated so late as last May, and in none of these reports has he given any intimation that that office should be closed. On the contrary, in the very last report before the one read by the minister, he points out the growing importance of Central Park. The Postmaster General should not confuse Central Park and Keefer's, because Keefer's is not Central Park any more than Aylmer is Hull or Ottawa. It is a station on a by-road while Central Park is on the main road between the two cities. No resident of Central Park would be called on to go to Keefers for any business purpose, whereas on the other hand the people of Keefer's would go to Central Park. However, the settlement is large enough to have a post office at both places, and as I have said it would cost the Postmaster General only $200 a year to leave Central Park open and establish a new office at Keefer's. As to patronage I wish to reiterate in all sincerity that while it is impossible to say what the rake-off is on any single transaction, and while there must be transactions with no rake-off because the administrator of the patronage like any other administrator must do many 'thank you' jobs, yet I state in all sincerity that in my riding the administration of the patronage is worth more than the salary of a cabinet minister. Who pays? Who but the public? If the patronage were abolished the public would save in that riding alone that amount of money every year. The minister will notice that the inspector never reported any suggestion of a change until he was approached by Mr. Robert Jardine. We know the position that such an official is in. If he dares to go contrary to the advice of the local administrators of the patronage, promotion of all kinds is closed to him, he becomes immediately persona non grata, his official career is ended; he is dragooned by the system now in vogue into following just so far as he can the direction of the local nabobs to whom this government trusts the administration of affairs. I am perfectly certain that if Mr. Greenfield had been left to himself and if it had not been put up to him that this was a matter of necessity he would not have made that report which the minister has read. Mr. Greenfield like every other man is only human; he is an official of this government, he must carry out the wishes of this government if he is to have any standing in the service at all.

Mr. LEMIEUX. Does the hon. member suggest that in this matter there is any rake off?

Mr. J. D. TAYLOR. I do not. When the Central Park post office was removed to Keefer's would the postmaster be paid on the basis of the business done at Central Park the year before? At Central Park the salary would be larger than at Keefer's.

Mr. LEMIEUX. The postmasters in such offices would be paid commission on the basis of the actual revenue.

Mr. J. D. TAYLOR. He would not get a salary this year at Keefer's on the basis of the business last year at Central Park.

Mr. LEMIEUX. He gets no salary at all.

Mr. J. D. TAYLOR. Yes, I find by the Postmaster General's Report that at Central Park the postmaster gets commission on money order business and on postal note business, and a salary of $195

Mr. LEMIEUX. Oh that $195 is the percentage he receives. It is put under the head of 'salary,' but it really is a percentage. There is no fixed salary.

Mr. FRASER. Before this item is carried, I wish to say a few words as to the post office service in the province of Prince Edward Island, and especially in my own riding. Let me say that I have no specific fault to find with the administration of postal matters, but I wish respectfully to call the attention of the Postmaster General to the necessity for increased mail services. As we all know the statistics show that the province of Prince Edward Island is settled ten times more densely than any other province in Canada; in fact, the whole province is entirely settled, and as times goes by, the people feel the necessity for this increased accommodation. I am glad to say the Postmaster General is granting this accommodation, but perhaps not so rapidly as to satisfy the people. We have now a great number of free rural mail delivery routes and we ought to have in a very short time a complete system of rural mail delivery. But the principal thing I wish to urge is that in some places, perhaps not more than five or six miles removed from a railroad or a central point, which have only tri-weekly or semi-weekly mail delivery, a daily service should be given. I have received many petitions on

this subject, and I am sure that the department has received many asking for a daily delivery. I was glad to hear the Postmaster General say that his wish and his instructions to the different postmasters was to keep this matter entirely free from all politics. I feel that his predecessor in office did a great deal for the Post Office Department and put it on a fairly high plane, and I only hope the Postmaster General will be able to carry out his wishes as he expressed them to-night and continue to keep the post office on a high plane, because it is a service fraught with great consequence for good or evil, according as it is properly administered. Would the minister tell me either now or at another time the revenue of the Post Office Department from the province of Prince Edward Island, and the expenditure in that province?

Mr. LEMIEUX. I will give him the information in a day or so. Whenever any reasonable request is made for the Island it will always be my pleasure to meet the wishes of the representatives of that province.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What business will be taken up on Monday?

Mr. FIELDING. Private Bills will be the first order and after that the Naval Bill will be taken up.

Motion agreed to, and House adjourned at 12.08 a.m., Saturday.

HOUSE OF COMMONS.

MONDAY, April 11, 1910.

The SPEAKER took the Chair at Eleven o'clock.

QUESTION OF PRIVILEGE—MR. MILLER.

On the orders of the day being called:

Mr. H. H. MILLER (South Grey). I wish to refer to page 6692 of 'Hansard,' April 7, and to call the attention of the House to the following words that occurred in the speech of the hon. Minister of Justice (Mr. Aylesworth):

> There is just one other thing I ought to say in that regard. My hon. friend from South Grey (Mr. Miller) read yesterday a letter I had written to him some two months ago on this subject. I certainly have no objection to his putting the letter on the pages of 'Hansard' although I ought to say I never expected to see it there, and thought I was merely writing to him as one member of the House might write to another what my ideas were with reference to this question.

I shall only occupy probably four minutes of the time of the House discussing this, and in speaking I am not actuated by any feeling of resentment whatever. I realize that in this matter every man has the right to his own views and I realize quite that those who opposed the Bill had just as good a right to oppose it as I had to vote and work for it. The hon. member for West Northumberland (Mr. McColl), the hon. member for Lincoln (Mr. Lancaster), and the hon. member for Brandon (Mr. Sifton) all spoke strongly against the Bill. As far as I am concerned, no feeling of personal friendship will be affected or altered by the action which any man took upon the Bill, nor will I for one moment think of seeking to injure any man politically because he has differed from me in his opinion as to the Bill. While I say that I will not be actuated by any resentment because of any action taken by any other hon. gentleman in what I say; neither will I be restricted in what I say by any party feeling or party affiliation. I do not object to any hon. gentleman differing from me in opinion, but I do like, when I fight a battle, to fight it fairly. The Minister of Justice complained that I did a dishonourable thing in making public a letter which it was not intended should be made public. What are the facts? I am sorry that I did not preserve a copy of the letter which I wrote to the Minister of Justice. I presume that he files his correspondence and I think he will have the letter. If he has I would ask him in justice to myself to produce the letter and read it to the House. I think I stated in the letter that I wrote that a member of the special committee to which the Bill had been referred had requested me to obtain from him his opinion as Minister of Justice as to the jurisdiction of this House in restricting the length of race meetings. At any rate, I remember well that I stated that in conversation to the Minister of Justice. Suppose I did not so speak, I wrote to the Minister of Justice and addressed him as Minister of Justice, and I should also say that the Minister of Justice knew well that I was chairman of the special committee having this matter in hand. Those are the facts and suppose those are the only facts; when I asked the Minister of Justice for his legal opinion, surely the letter I received in reply, not being marked 'personal,' or 'confidential,' was a letter that one might expect to use when he was doing what I was, and I would ask, if the opinions of the Minister of Justice, asked for by a member of the

House and given to a member of the House are to be treated as private correspondence, of what value are such opinions? I think I have reason to complain of the reference that the Minister of Justice made in the House. I wish that every statement the Minister of Justice had made to me when I consulted him about this Bill and discussed the Bill with him was, as is this letter, in writing and over his signature. I have a great deal to complain of, I think, as to the treatment of the Minister of Justice in connection with this whole matter. Having discussed the question with him, as I have discussed it with him and he having made the statements that he did make, and which it would perhaps take too much of the time of the House to discuss, I do say that if I had used the Minister of Justice as he has used me in this matter, I would have thought that I had struck below the belt and that I had not acted either honestly or honourably. That is a plain statement to make, but if the Minister of Justice demands of me to make the fullest possible detailed explanation of my words I am ready to do so at any time either in this House or outside of it.

Hon. A. B. AYLESWORTH (Minister of Justice). I have only to say that I regret more than I am able to express, the fact that I have not been able to hear what the hon. gentleman (Mr. Miller) has said, and I am sorry indeed that he feels that he has any grievance or cause of complaint against me, either in regard to the letter he has referred to or in regard to anything I have said out of which this has arisen. I certainly had no idea of imputing to my hon. friend any dishonourable conduct in connection with the reading of the letter he has mentioned. I think the language which I used in speaking about it abundantly shows that no such idea was in my mind. I said at the time in the House that I certainly had no objection to his putting the letter on the pages of 'Hansard,' though I added that I never expected to see it there, nor did I. The hon. gentleman, being a personal friend, saw me repeatedly in friendly conversation in reference to the measure of which he had taken charge. I spoke to him freely with regard to the objects which he desired and I certainly never expected that anything which passed between us in those conversations would be matter of discussion afterwards in public form. I regarded the letters which passed between us in precisely the same way. I did not consider—I do not consider now—that because I happen to be Minister of Justice I am in any way the legal adviser for the House as a whole or of any member of the House.

I am perfectly willing at any time to talk with or write to any member of the House who thinks he can have any help from me in connection with any measure in which he is interested, or anything in respect of which he may apply to me. It was precisely in that way that I understood my hon. friend was either speaking to me or writing to me in connection with this Bill, and all that I have said in reference to this letter is what I am repeating now, that while it was in no sense a private communication, while it was in no sense a breach of confidence that it should be made public, I did not expect that it would be. I was not upbraiding my hon. friend for the course he took, I was not complaining of it in any way.

I understand that my hon. friend has also spoken of the general course which has been taken with regard to the measure in which he is interested, as one in which he thinks I have done something unfair, or as he, as I understand, described it, 'struck below the belt.' I can only express my very great regret that any such feeling should be in the mind of my hon. friend, and I must also add some little astonishment, because during the few days which have passed since the occurrences of last week in the House, I have met my hon. friend with quite the usual cordiality which has always existed between us, it was the last idea in my mind that he had any feeling of being hurt with reference to the course of these proceedings. I should like simply to add that from the outset of this matter, from the opening of the session, in any conversations which had taken place between my hon. friend and myself, all of which have been of the most friendly character, I have never concealed from him in any way that I was entirely opposed to the theory upon which the Bill he had introduced was framed. I have told him quite frankly from the outset that I very greatly preferred the English Bill. I thought that I was not doing any more than was fair to him in saying so, and I have in every way given him, I think perfectly clearly, to understand that I would not introduce such a Bill as the one which he introduced, that I did not approve of the scheme of the Bill, or the attempt which I thought it manifested to call the walking about taking bets the keeping of a betting house or place. That was a feature of the Bill which was essential to it, which was in a word the whole theory upon which it was framed. I regarded that as mere verbal trickery, and I certainly gave my hon. friend to understand that, as plainly I thought as any words I could use would enable me to do so. I think these circumstances that my hon. friend is scarcely justified in alluding to the opposition which I openly offered in the House to the mea-

sure which he had introduced, as in any way striking below the belt.

Mr. MILLER. Just one word. When I obtained the views of the hon. Minister of Justice (Mr. Aylesworth) at any times I distinctly stated to him, at least on one occasion, that whatever opinions I received from him I asked and hoped to receive for the purpose and with the object of making use of those opinions of the hon. the Minister of Justice, and he did not say that he did not desire or wish me to do that, he simply said in reply that when the matter came up to be discussed in the House he would probably have something to say himself.

A word as to what the Minister of Justice has just said. His objection to the Bill was largely because it would interfere with private betting. The Minister of Justice said to me, when I was consulting him about the Bill, as I said before in the House, that it had been very carefully drawn by three clever lawyers, Mr. Raney, Mr. Cartwright of Toronto, and Sir Thomas Taylor, late Chief Justice of Manitoba. The minister said: These are three clever lawyers, they have given a great deal of attention to the drafting of the Bill, and I do not think it can be improved on, and the Minister of Justice said he added the words 'for the purpose for which it was intended,' and if he says he added those words I take it for granted that he did. But I took the care at times to tell the Minister of Justice that it was not the desire of the promoters of the Bill to in any way interfere with private betting. Knowing that that was not the intention, he suggested that the Bill could not be improved upon for the purpose for which it was intended. I said to the Minister of Justice: If this Bill, in your opinion, would affect the man who makes a private bet, I would like you to suggest any language that you can suggest that would leave out the private bettor and exempt him. He said: I cannot suggest any language that would be an improvement on the Bill as it is drawn in that respect. Afterwards I myself, fearing the Minister of Justice might make some further objections to the Bill in that regard, that is was interfering with private betting, drafted a clause and submitted it to him, and as he in his own writing amended it in order, as he thought, to fit the case. I said: Will the amendment, as you have changed it, fill the bill, and exempt the private bettor? He said: I think it will. The Minister of Justice then must have known that that was my intention. The Minister of Justice looked carefully over the Bill. He said that clause 235 did not in any way interfere with the private bettor, but that it would with the recording or registering of a private bet.

Mr. SPEAKER. The hon. member understands that we cannot go over all this ground again. The hon. gentleman's present statement may bring about another statement from the Minister of Justice.

Mr. HUGHES. Do you not think the hon. gentleman should be allowed to explain himself after the mess he made of it the other night.

Mr. MILLER. All I say is the Minister of Justice has advised me in one way when I consulted him, and has advised the House in an entirely different way.

THE INSURANCE BILL.

Mr. MACDONELL. Is it the intention to proceed with the Insurance Bill this session?

Sir WILFRID LAURIER. It is the intention to proceed with the Bill.

LAC DU BONNET FISHERIES.

Mr. BRADBURY. I wish to ask the minister in charge of the Fisheries Department a question regarding Lac du Bonnet. I can perhaps best do so by reading the following letter which I have received:

Lac du Bonnet, April 3.

Dear Sir,—Will you kindly give me some information regarding the Lac du Bonnet fisheries. It is rumoured that the Lac du Bonnet waters are thrown open for commercial fishing for the settlers and residents around Lac du Bonnet, which would be satisfactory to the people as long as the district is not invaded by Indians and foreign fishermen. There is a company preparing to buy the fish and they are telling us that they have bought the licenses and paid for them, and the settlers can get no license except through the company who wants an agreement signed which we do not think is right. If you could give us some information in this matter you would do us a great favour.

Respectfully yours,
MARTIN WOLD,
Lac du Bonnet, Manitoba.

I have had several letters to this effect. There is a company that has been trying very hard to secure the control of Lac du Bonnet which the right hon. gentleman will remember was discussed before. The company, I understand, have purchased a large number of these licenses from the fishery inspector at Selkirk, in the names, I presume, of settlers, and they come to the settler and say: We have a license here for you, and if you will sign an agreement to sell us the fish you catch under this license, we will give it to you. And they are going to the other settlers, and telling them that they cannot get a license except from them. Will the right hon. gentleman ascertain if

such licenses have been issued, to whom they have been issued, and to whom they have been handed? I would also ask him to see that the settlers are protected in their rights.

PRIVATE BILLS.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

House in committee on Bill (No. 115), to incorporate the St. Lawrence Power Transmission Company—Mr. Pardee.

On section 1, incorporation.

Mr. R. L. BORDEN. Have the promoters of the Bill looked over the amendments which have been suggested, and come to a conclusion?

Mr. PARDEE. Yes, as stated on Friday night, we are quite content to accept the amendment suggested by the leader of the opposition (Mr. R. L. Borden), and the hon. member for North Ontario (Mr. S. Sharpe). There is no objection to those amendments.

Mr. LENNOX. What about an amendment of which I gave notice, to enact as subclause 3 of this Bill clause 9 of the St. Lawrence Power Company Bill? That is, re-enacting it so that the two companies would stand exactly on the same basis. It is somewhat more restrictive as regards the power of entering on property, it gives less extensive appropriation powers. Is the promoter of the Bill prepared to accept that?

Mr. PARDEE. I think that in so far as the acquiring of property by the transmission company for the transmission lines is concerned, it is amply guarded in the Bill now before the House, in this way that in the event of anything occurring they shall all come under the provisions of the Railway Act. There is a further provision that in acquiring either lands or easements it is absolutely necessary that they should acquire the fee simple. I think it is hardly fair to ask more onerous conditions, in fact I do not see how they could be imposed. Every interest is safeguarded thoroughly and absolutely. I would be quite content to accept the amendment proposed by the hon. member for Grey (Mr. Middlebro), it is practically the same amendment.

Mr. R. L. BORDEN. I have not given a great deal of attention to this Bill personally, but some hon. gentlemen on this side have come to me and made certain suggestions with regard to it. Another suggestion contained in an amendment was practically to this effect: This company is designed as I understand it according to the actual facts for the purpose of transmitting power which is produced by the St. Lawrence Power Company. The rates to be charged by this company are in effect made subject to the control of the Railway Commission of Canada. The St. Lawrence Power Company, however, was incorporated before we had any Railway Commission and its rates are not subject in any way to the Railway Commission of Canada. The difficulty which was suggested to me and which seems to me to have some importance was this: Suppose that the St. Lawrence Power Transmission company goes before the Railway Commission of Canada to have its rates fixed, it gets its power from the St. Lawrence Power Company; The St. Lawrence Power Company in dealing with the St. Lawrence Power Transmission Company says: We are absolutely untrammelled by any control of the Railway Commission, we were incorporated before there was any Railway Commission. Then the St. Lawrence Power Transmission Company come before the Railway Commission of Canada and will say: We have been obliged to pay $25 or $35 or $40 per horse-power to the St. Lawrence Power Company. They are not subject to your control and we cannot do anything with them. Then the Railway Commission will have to say: You are subject to this condition of affairs: We cannot cut you below what you are paying, we must allow you what you are paying and something more and the net result would be that there would be no effective control by the Railway Commission of Canada over the rates.

Sir WILFRID LAURIER. As I understand there is no objection on the part of the promoters of the Bill to put in this Bill anything and everything that may be necessary in order to put as effectively as it can be put in the hands of the Railway Commission, the power to have control over its rates. I do not apprehend that the objection is a very strong one. If I understand the objection of my hon. friend it is not his own objection but an objection which was stated to him, and it is that there was some doubt as to whether the St. Lawrence Power Company, having been incorporated before the Railway Commission, would be made amenable to that commission. I do not think that the point is a strong one. We have created the commission and have provided that railway companies in existence 50 years before the creation of that board should have their tolls submitted to it. At all events, to make it doubly sure, I understand the promoter is quite willing to agree to the amendment suggested so as to clear that point and make it beyond doubt.

Mr. R. L. BORDEN. An amendment designed to cover that has been placed on the Votes and Proceedings of the 6th of April, page 796.

Mr. S. SHARPE. The promoter has agreed to accept that amendment.

Mr. DEPUTY SPEAKER. I would like the committee to consider whether in this private Bill affecting a power transmission line, you can introduce an amendment affecting another company not under the view of this Bill, that is the St. Lawrence Power Company. I would like to have the opinion of the committee on that point. Whether this Bill affecting one company can properly be amended to affect the rights of an entirely different company by throwing on it duties not provided for in the notice given for the Bill before the committee.

Mr. R. L. BORDEN. I think it can be done in this case, for this reason. In the first place, parliament can refuse to accept the Bill unless this amendment be made. In the second place, there is the question of notice, which is the more important question. It is admitted, I understand, that the corporations, although distinct in form, are practically one. Therefore, the promoters of this Bill have the right, on behalf of the St. Lawrence Power Company, which they also represent, to come before parliament and say that they will accept the Bill with these amendments.

Sir WILFRID LAURIER. The point mentioned by the chairman is not so much a point of procedure as a point affecting our powers. As a point of procedure, if all parties have agreed to it, we can agree to it also.

On section 1, incorporation,

Mr. R. L. BORDEN. There are some other changes which I consider of a minor character to which I can refer as we go along. There is the one already referred to with regard to the curious change made with respect to the powers of expropriation. I refer to the use of the word 'easement'; and, of course, there may be other points of which I am not aware, because I have not given as much attention to the details of the Bill as have some other hon. gentlemen on this side of the House.

On section 6, powers,

Mr. S. SHARPE. It was suggested that after the words, 'with similar lines in the United States for the purpose of importation,' the words, 'into Canada,' should be inserted. They were introduced in the Private Bills Committee, but have been omitted from the Bill as reprinted.

Sir WILFRID LAURIER.

Mr. GRAHAM. I do not think that in a Canadian Bill the word 'importation' would mean anything but importation into Canada.

Mr. S. SHARPE. As the words 'United States' are used there, might it not be construed as importation into the United States?

Mr. GRAHAM. This parliament could not legislate in regard to importation into the United States. We can only deal with importation into Canada or exportation out of Canada. The object of this is to enable the company to bring in power from Waddington.

Mr. R. L. BORDEN. I am inclined to think that if there is no objection, the words 'into Canada' had better be inserted, though the word 'importation' probably means that.

Mr. S. HUGHES. The minister's statement that the object was to bring in power from Waddington hardly tallies with the statement of the Minister of Public Works, that in dealing with these gentlemen he would receive a guarantee that although 75 per cent of the power might be generated in the United States, one-half of it would be brought into Canada.

Mr. S. SHARPE moved that the following words be added to subsection 2 of section 6:

The said Board of Railway Commissioners for Canada, on the application of any person or municipality, or on the application of the Government of Canada, or of the Government of the province of Ontario, or of the government of the province of Quebec, shall fix the price from time to time for periods not to extend over five years, at which the company may puchase electricity and electric, pneumatic or other current, power or force, and shall fix the prices from time to time for periods not to extend over five years at which the St. Lawrence Power Company incorporated by chapter III., 1 Edward VII. (1901) shall sell or lease such electricity and electric, pneumatic or other current, power or force to the company.

Mr. HUGHES. Would it not be stronger if the words 'to the company' were omitted? That would cover the sale to any one.

Mr. GRAHAM. I do not think you could very well do that in this Bill. There may be some excuse for putting it in this particular Bill, because it is said the two companies are composed of the same people, but I do not think that you could reasonably go further in this Bill than is already provided by this amendment.

Mr. SPROULE. If they should sell to another company, and that company should sell back, would they not evade the law?

Mr. GRAHAM. No, they are tied up by this charter.

Mr. HUGHES. The St. Lawrence Power Company is not brought under the Railway Act by this amendment, except for the sale of power to the St. Lawrence Power and Transmission Company. Why not bring it under the Railway Act for all purposes?

Mr. GRAHAM. We should have to introduce a special Act.

On subsection 3; section 247 of the Railway Act shall apply to the works and undertaking of the company,

Mr. R. L. BORDEN. What is section 247?

Mr. GRAHAM. I will read the opening lines of it, which will show the leader of the opposition (Mr. R. L. Borden) the general effect, and I will send him across the floor a copy of the Act that is before me:

When any company is empowered by special Act of the parliament of Canada to construct, operate and maintain lines of telegraph, or telephone, or for the conveyance of light, heat, power or electricity, the company may, with the consent of the municipal council or other authority having jurisdiction over any highway, square or other public place, enter thereon for the purpose of exercising the said powers, and as often as the company thinks proper, may break up and open any highway, square or other public place, subject, however, to the following provisions :

And so it goes on with the different subsections, covering, in all, two pages. But it begins with the provision that all should be subject to the consent of the municipality.

Mr. SPROULE. I do not understand that it says the consent of the municipality 'as expressed by by-law.' It is customary in the case of railway Bills, when we authorize the building of telephone and telegraph lines, to require that in building through municipalities all the work shall be done subject to the consent of the municipality as expressed by by-law. The municipality may then make conditions. I do not see why it would not be equally possible to do it in this case.

Mr. PARDEE. Subsection 5 of section 247 of the Railway Act covers that.

Mr. LENNOX. This subsection 3 of the Bill is the one I propose to strike out, substituting for it the section of which I have given notice. It is very long, and I shall not read it. But I may say that it is much on the lines of section 247 of the Railway Act, but it does not give the company as broad powers as are given under that section. But the amendment I propose is an exact copy of the provisions of the St. Lawrence Power Company Act, section 9. One matter in which it materially differs from section 247 of the Railway Act is in subsection (i):

Nothing herein contained shall be deemed to authorize the company to enter upon any private property for the purpose of erecting, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being.

I do not propose to take up much time over this matter. But it seems to me that these two companies are so much one company that if they wanted an enlargement of their powers of expropriation they ought to come to us fairly and openly and propose an amendment of their Bill. This is a test of good faith, and a very important one. If the company are acting in good faith, they ought to be prepared, I think to accept the provisions of the original Bill. They are substantially one company, carrying out the same object, the present Bill being designed to make provision regarding the transmission end of the scheme. I do not think we ought to expand their powers in any way, and thus give them a more valuable franchise than they have at the present time. I do not want to repeat what I said on Friday night. I was sorry I had not time to complete what I then wished to say. I was endeavouring to point out that we ought not to put the company in a position in which, in case of need of expropriating their franchise rights, we should find those franchise rights enhanced in value.

Mr. PARDEE. I do not feel inclined to consent to the amendment the hon. member (Mr. Lennox) has moved. He says that this is a test of good faith. So far as this Bill is concerned, I think it will be conceded by the committee that we have, in every way, acceded to every demand that has been made for proper amendments. It is scarcely worth while to pass a Bill which will have practically no effect whatever, a Bill that will give the incorporators absolutely nothing. So far as striking out this section is concerned, I can only say that it seems to me that if any one will read section 247 of the Railway Act, with its various subsections, he will see how absolutely, how completely, every interest is safeguarded with which the work of this company can come in contact. We have no reason to doubt the bona fides of the Board of Railway Commissioners; we know that they have acted, and are still acting, in a manner to claim the satisfaction and approval of the people. Should there be any dispute, should anything arise detrimental to the people with whom the Transmission Power Company have to deal, they will be absolutely forced to come under section 247 of the Railway Act. So far as my hon. friend's amendment goes, I cannot see where would be the wisdom of putting it in this Bill at all. Subsection 5 of section 247 of the Railway Act absolutely protects the public. So far as the Bill is concerned, we

have acceded practically to every amendment suggested, and we have it in such a condition that even those who were most strongly opposed to it in the Private Bills Committee and in the House are absolutely satisfied. Therefore, it is hardly consistent at this late stage to move that this paragraph be struck out.

Mr. GOODEVE. Along the line of the argument raised by the hon. member for Simcoe (Mr. Lennox), I may say that it was the intention of the hon. member for North Grey (Mr. Middlebro) to call attention to an Act similar in purpose adopted by the federal house at Washington. In addition to the fact brought out by the hon. member for Westmorland (Mr. Emmerson) that the state legislature of New York charged certain fees, it also provided that the federal Act should govern the Long Sault Bill, somewhat similarly as our Railway Act governs the railways, and I want to call attention to a most remarkable and very sweeping clause which these men are willing to accept on the other side. After setting forth that all the works will be constructed in accord with plans submitted to the Militia Office and Secretary of Trade and Commerce at Washington, and it is provided that these shall have absolute control, and the right shall be vested in the state and not in the company to regulate the flow of water, whether or not injurious to the company, and that at any future time the United States government may have this dam removed at once, either by blasting it or in any other way, if they consider that necessary in the interest of the government or navigation, and no claim can be made for damages or compensation of vested rights. That is a very broad clause which the company had to accept, and the reason I call attention to it is because it bears out the contention of my hon. friend from South Simcoe. It shows how valuable these franchises are considered by the nation to the south. As I read this Act, I feel more strongly than ever the necessity of our being very careful before granting franchises of this kind.

Mr. GRAHAM. If my hon. friend were dealing with damming the St. Lawrence, the position he takes would be a wise one, but there is no question of that here. We have given other companies power to erect transmission lines throughout Canada, and in none have we insisted on any such provision. None of these is so restricted as the present company. If I were not very anxious to get transmission lines in order to obtain power in the vicinity where I live, I would advise the promoters to drop their Bill. If they were proposing to dam the St. Lawrence, that would be a reason for taking the precaution which the United States has taken, in case that should be found an interference to navigation, and not give the company any claim for damages, but that is not the case here.

Mr. LENNOX. I have the statute referred to by the hon. member for Westmorland (Mr. Emmerson) in which he pointed out the very considerable fees charged by the United States for such rights as are here given. I need not refer to that further. I also have before me the Act passed by the House of Representatives, which provides that all the rights and privileges given under that Act are to be subject to an Act of Congress containing the provision referred to by my hon. friend from Kootenay. That will be found in the general statutes of the United States, vol. 34, page 386. It is entitled An Act to Regulate the Construction of Dams across Navigable waters. The Act of the State of New York is made subject to the provision of the Act I have referred to, among which are these clauses.

Whenever Congress shall authorize the construction of a lock or other structures for navigation purposes, in connection with such dams, the person owning such dam shall convey to the United States, free of cost, title to such land as may be required for such constructions and approaches, and shall grant to the United States a free use of water-power for building and operating such constructions.

Section 2. That the right is hereby reserved to the United States to construct, maintain, and operate, in connection with any dam built under the provision of this Act, a suitable lock or locks, or any other structures for navigation purposes, and at all times to control the said dam and the level of the pool caused by said dam to such an extent as may be necessary to provide proper facilities for navigation.

Section 3. That the person, company or corporation building, maintaining or operating any dam and the pertiment works, under the provisions of this act, shall be liable to any damage that may be inflicted thereby upon private property, either by overflow or otherwise. The person owning or operating any such dam shall maintain, at their own expense, such lights and other signals thereon and such fishways as the Secretary of Commerce and Labour shall prescribe.

It also provides that:

Upon refusal of the persons owning or controlling any such dam and accessory works, to comply with any lawful order issued by the Secretary of War or the chief engineer in regard thereto, the Secretary of War or chief engineer may cause the removal of such dam and accessory works as an obstruction to navigation at the expense of the person owning or controlling such dam, and suit for such expense may be brought in the name of the United States against such person, and recovery had for such expense in any court of competent jurisdiction.

It also provides in section 7:

That the right to alter, amend or repeal this Act is hereby expressly reserved as to

any and all dams which may be constructed in accordance with this provision, and the United States shall incur no liability for the alteration, amendment or repeal thereof to the owner or owners or any other persons interested in any dam which shall have been constructed in accordance with this provision.

A general provision is thus running through the statute, enabling the United States government to have complete control over the works and remove them if necessary in the interests of navigation and without being under any obligation to pay any damages. Unfortunately we have nothing of the kind in our statutes. I refer to this so that at some future time we may be given the benefit of some such legislation.

Mr. HUGHES. In addition there is a special Act before the American Congress dealing with this very thing. Inasmuch as the government has taken power to prevent the damming of the St. Lawrence, I shall not take up further time in discussing the measure.

Amendment (Mr. Lennox) negatived: Yeas 29; nays 39.

On section 11, expropriation powers, &c.

Mr. HUGHES. In the absence of the hon. member for Grenville (Mr. Reid) I would call the attention of the committee to the fact that at page 704 of the Votes and Proceedings there is an amendment proposed by that hon. gentleman as follows:

> Nothing in this Act contained shall be construed to authorize the company to enter on, take or use any land or water, the property of any province, without having first obtained by order in council of the Lieutenant Governor, the consent of the province to such entry, taking or using.

As this Act has to do with the St. Lawrence Power Company, and the St. Lawrence Power Company have jurisdiction at the Long Sault rapids, Coteau, Cascades, and the Cedars, I think it would be well that the provinces of Quebec and Ontario, they having rights as to the bed of the river, should be consulted before any dam is constructed. I would, in the absence of the hon. member for Grenville, beg to move the amendment that I have read.

Mr. PARDEE. I do not think this amendment should go into the Bill. If the amendments keep on, the company will not be able to do anything at all under the charter. I cannot see why this should go in. If we grant a charter we ought to grant a charter giving certain rights. We are not granting them a charter when we absolutely tie them up at the very first step they propose to take. If these people are entitled to come, and get a charter they are entitled to receive certain rights, and not a charter which would practically be a nullity.

Mr. S. SHARPE. This phase of the question was discussed very fully in the committee, and a representative of the Ontario government who was present, Mr. Lynch Staunton, proposed this amendment to the Bill. However, it was voted down, and it is now before the House. The effect of this amendment is to prevent the company from expropriating the bed of the river provided they want to construct works in the bed of the river which is owned by the province. Possibly the difficulty might be compromised by allowing them to expropriate an easement to construct poles in the bed of the river without expropriating the land.

Mr. PARDEE. That was when you thought they were going to build a dam.

Mr. GRAHAM. The object of the amendment was to protect what the province claimed as its right to the bed of the river. That would only apply in case the Bill should give them authority to construct their dam. However, that question will not come up under this Bill.

Mr. R. L. BORDEN. I do not see that this parliament has any more power or right to incorporate a company with authority to expropriate the property of a province than a provincial legislature would have to incorporate a company with authority to expropriate the property of the Dominion. The Dominion is supreme within a certain limit. The province is supreme within a certain limit. I cannot see that any argument applies to one case that does not apply to the other case except it might be in matters of great national concern, such as defence. The question of defence is expressly provided for in the British North America Act. The government of the Dominion has the right to take the property of a province for purposes of defence. But the British North America Act, in so far as express provisions are concerned, permits the taking of the property of the provinces for no other purpose. Apart from that the right would appear to be co-relative. If the right exists in the case of the Dominion to expropriate it must exist in the right of the province. I would think that the proper course would be to make it subject to the consent of the proper authorities in either case. You may say that that might render some plan unworkable. I do not see that it would be likely to render any particular undertaking unworkable. At all events, the whole theory of government both in Great Britain, and this country is based upon the supposition that men in authority will act bona fide, and reasonably, and our system of government, as well as their system of government, would be absolutely unworkable, and

inoperative unless that theory were carried out in practice. The remedy, it seems to me, is that if persons in positions of authority acted unreasonably and improperly in connection with such matters it would be at their own risk, and they could be removed at the proper time.

Mr. SPROULE. This is declared to be a work for the general advantage of Canada, it is brought under the expropriation clause of the Railway Act, and it gives the company power to expropriate provincial lands as well as the lands of private individuals. Because it is a work for the general advantage of Canada they might take what belongs to the province, whereas if the province were dealing with the same subject, it would only deal with it within its own provincial lines

Sir WILFRID LAURIER. I understand the Bill, as now before the House, does not contemplate the expropriation of any provincial property. If the Bill provided that, there would be cause for some discussion, but as I understand the Bill now there is no provision which can empower the company to expropriate the bed of a river which would be the property of a province.

Mr. R. L. BORDEN. Only by the Railway Act, the powers of expropriation of the Railway Act being made applicable to this company. The contention may be raised that such power of expropriation exists.

Mr. PARDEE. We do not propose to take the bed of any river.

Mr. LENNOX. The First Minister has made it clear that the government does not intend to interfere with the lands of the province. That being so, there should be no objection to the clause proposed by the hon. member for Grenville (Mr. J. D. Reid). This is taking away nothing if the Prime Minister is right, as the company is not to have this right, it is not intended they should. The promoter of the Bill seems to think it does give them such a right. He does not wish to have the right cut away. We had better put this clause in and have it quite clear.

Sir WILFRID LAURIER. I do not agree with my hon. friend in this. I say there was no necessity of raising the question, because as I understand the Bill does not contemplate giving the company the power of interfering with the land of a province, and there is, therefore, of course no difficulty. Suppose the question raised by my hon. friend the leader of the opposition should arise. Under our system of divided legislative authority, I think the best interpretation is certainly to hold that both the Dominion and the provinces are supreme within the spheres which are allotted to them by the constitution. But there will always be a difficulty and a question on the borderland as to where the right of the province terminates and the right of the Dominion commences. We have the right here to incorporate companies, and if, in the exercise of that right we deem that it is not possible for the entity which we create to exercise the powers with which it is vested without interfering with property, or rights of the province, the question arises have we that power or not? It would not do to have the question determined as suggested now by the hon. member for Simcoe. This is a matter which had better be left to the courts to determine, the only determination to be given ought to be by a judicial authority. The judicial authority would then determine whether or not in giving such power we have invaded the rights of the province, and for my part I think that is the best interpretation.

Mr. R. L. BORDEN. There are two different considerations, one as to the power and the other as to the conditions on which the power should be granted. I shall not discuss the question of power at the present time, the legal power of this parliament to do it, except to say that if this parliament has the power to permit land of the Crown held in the right of the province to be taken by a private company it seems to me a province might exercise the same jurisdiction in respect to lands of the Dominion, for example, the western provinces. However, I do not think that question has been judicially determined as yet, and it is useless to debate it at this moment. Let us assume that both the Dominion parliament and the provincial legislature have such a power. The next question is as to the conditions under which it should be exercised. What I was suggesting was, that it would be proper both for the provincial legislature and for this federal parliament to grant that power subject to the consent of the executive authority of the other body. If the province has the power, it ought to exercise it subject to the executive authority of the Dominion. The Dominion parliament, if it has such power, ought to exercise it subject to the executive authority of the province, otherwise it seems to me that a great deal of difficulty and friction might be created. I adverted to the argument which might be raised and no doubt would be raised, that to make the power subject to such consent would render the whole undertaking inoperative, because the necessary consent might not be obtained and I endeavoured to meet that objection by suggesting that to proceed on the theory that persons in authority, persons placed by the people of Canada in authority here, or persons placed in authority by the voters in any province over that province would exercise their authority in respect of such a

matter in bad faith, was not reasonable, and that if they did so the proper remedy would be by an appeal to the people.

Sir WILFRID LAURIER. Taking the view of my hon. friend, if the two powers, the provincial legislature and the Dominion parliament were to agree to allow something of this kind, I would see some force in it, but I would suggest that before we come to any such conclusion it would be far better to have a judicial determination as to what are the rights of the provinces and of the Dominion and how far they can be carried. My hon. friend is right. He says that if it be in the power of this parliament to invade, in the exercise of this power, property held by the Crown in the right of the province, why will not the converse proposition hold good that the province will have the right to expropriate land properly belonging to the Dominion, held by the Crown in the right of the Dominion? The argument is a strong one, and I could not see any reason why it should not apply in one case or the other. But it is a case which if it ever arose had better be settled by judicial authority, and if the action would decide one way or the other, it might be advisable for the two powers, Dominion and provincial, to come to some understanding as to its existence.

Mr. HUGHES. As the amendment of the leader of the opposition, which practically nullifies any power the company might have had to construct a dam on the St. Lawrence, has been accepted, I presume that this is not so important as it would be without that amendment. But the situation is a very peculiar one. I spent some time in examining the ground. It is peculiar that 95 per cent of the power belongs to the United States, and that a dam of the length of 100 feet or so is all that would be necessary on the Canadian side to give away our entire property on the River St. Lawrence. The main dam would be from Long Sault Island to the American shore in American territory. The other dam would be between the eastern lower corner of Long Sault Island and Barnhart's island, both in the United States. That is a wing dam. The dam between the eastern end of Barnhart's island and Canada is the only one where any Canadian property would be concerned. At present one can walk practically across the river except for about 30 feet at that point. At that point the whole stream of the water passes down on the American side. The stones are all there, and it would be very easy to dam that part of the river. Therefore, in case this parliament should ever allow this company to construct a dam over the St. Lawrence, I think it would be well to have the double precaution that it could not expropriate land without the consent of the provincial legislature.

Mr. S. SHARPE. I think it would be very disadvantageous to the public if the company were allowed to acquire an easement. This is a private company, and is not in the same category as the Hydro-Electric Commission; and under this section as it stands the company could string its wires along the houses or barns of the farmers by acquiring an easement, which might subject them to a great deal of inconvenience.

Mr. PARDEE. The company would have to acquire a fee simple.

Mr. S. SHARPE. As the word 'land' in subsection 4 includes any privilege or easement required by the company, it could acquire a right of way by merely acquiring an easement.

Mr. PARDEE. They would have to pay for it.

Mr. S. SHARPE. They might make misrepresentations to the farmers, and get them to sign for an easement, and in that way the company might avoid paying the compensation they should pay.

Mr. R. L. BORDEN. I think subsection 4 ought to be struck out, for a good many reasons. In the first place, it seems to me inconsistent with subsection 6. In the next place it would enable the company to go into any city, town or village and expropriate the right or privilege or easement, to put up poles and string wires without the consent of the municipal authorities, and thus nullify section 247 of the Railway Act. Subsection 4 seems to me to cut out section 247 altogether, as this special provision would prevail over the general provision of the Railway Act in that regard.

Mr. PARDEE. The Railway Act is made expressly to apply to this Act wherever necessary.

Mr. LANCASTER. So far as it is not inconsistent with this Act.

Mr. PARDEE. The Railway Act, in section 247, says that this company cannot go into any municipality without its consent, and that in the event of that consent not being obtained, they shall go before the Board of Railway Commissioners. Surely, then, subsection 4 of section 11 does not override that section of the Railway Act. Subsection 4 simply interprets the word 'land'. Then, subsection 6 simply provides that in the event of the company exercising its right of expropriation for the purpose of acquiring land for its right of way, such land must be acquired in fee simple. So that it appears to me that it is not so opposed to the Railway Act as the hon. gentleman thinks.

Mr. LANCASTER. I think the leader of the opposition is quite right in insisting that subsection 4 should be struck out, even on the argument of the hon. gentleman who is promoting the Bill. I understand that we are not to give this company any greater rights than the Railway Act gives them. The Railway Act defines the word 'land', but the hon. gentleman wants in this Bill a special definition which gives that word a wider meaning. That is, as I understand it, the import of the objection of the leader of the opposition. If the company gets all the rights as regards land that the Railway Act gives it, that is all that it ought to have. The Railway Act has hedged around the taking of land with certain precautions. The words of the Railway Act are not that you can take an easement. The owner of property does not want to give an easement over it, he wants the railway either to expropriate it, to take it and pay him the damages, or to leave it alone, not to have an easement. The effect of putting the word 'easement' is to beat a man down on his right of compensation, because it is impossible to give intelligent evidence as to how much he is going to be interfered with.

Mr. PARDEE. We will strike out subsection 4.

Subsection struck out.

On subsection 6, of section 11.

Mr. HUGHES. I would move as a new subsection the amendment moved by Mr. Reid, as follows:

Nothing in this Act contained shall be construed to authorize the company to enter on, take or use any land or water, the property of any province, without having first obtained by order in council of the lieutenant governor, the consent of the province to such entry, taking or using.

Amendment negatived, yeas 30, nays 44.

On section 12,

Mr. BOYCE. I presume the object of this clause is to specifically prevent the exportation of power developed or coming on the lines of this company to the United States of America. It has been pointed out that what the company might be prevented from doing directly it might, under the peculiar wording of some of the sections, be able to do indirectly, and I would, therefore, move to add:

And it shall not be lawful to export to the United States any electricity, electric power, hydraulic or other power or force which may come on the lines of the company, or in any way use the undertaking of the company for and in aid of such exportation.

Mr. GRAHAM. The clause in the Bill covers it.

Mr. PARDEE.

Mr. S. SHARPE. In the Private Bills Committee a motion was made to add to this section:

Or sell to any person or company for the purpose of export.

That I think covers the same ground.

Amendment negatived.

Mr. R. L. BORDEN. I would move as subsection 12a, the amendment standing in the name of Mr. Middlebro:

The Governor General in Council shall not give his approval to the construction of any further canals, water-courses, raceways, dams, wing dams, sluices or other works on the River St. Lawrence by the St. Lawrence Power Company, Limited, under the provisions of chapter one hundred and eleven of 1 Edward VII., Canada, or otherwise, nor agree to or approve of any terms or conditions respecting the diversion of water or power from Canada, the consideration and rate to be paid therefor, the location of all dams and generating plant, the reservation of power for use in Canada, the safeguarding of our canals, adjacent lands and navigation, the procuring of consent thereto from the British government under the Ashburton treaty or other treaty, unless and until the plans, specifications, and all terms and conditions shall have been first submitted to and approved by parliament.

Mr. ARMSTRONG. May I ask the promoter whether he can give an estimate of the quantity of power now developed?

Mr. PARDEE. No, it does not make any difference for the purposes of this Bill.

Mr. ARMSTRONG. I think we should have a little different answer from that.

Mr. PARDEE. All I can say is that we have heard that discussed. The Minister of Railways and Canals (Mr. Graham) has told us several times what he thought on the subject. Personally, I have no idea of the quantity of power likely to be generated. But, as I have said, I cannot see what difference it makes for the purposes of this Bill.

Mr. ARMSTRONG. I think we ought to have some definite knowledge as to the quantity of power possible to be developed. The Minister of Railways and Canals should be in a position to inform the House.

Mr. GRAHAM. The question of the amount of power to be developed is one, apparently, involving a difference of opinion. I have made a statement on the subject several times when, perhaps, my hon. friend (Mr. Armstrong) was not in his place. My opinion is that they have surplus power there at the present time. But, I know that there are those who do not accept that view. If power is going to waste there, I want to have the legislative con-

ditions so arranged that there will be no excuse for not developing that power, and selling it to those in that section who want power for various industries.

Mr. J. A. CURRIE. The Minister of Railways and Canals ought to come down to facts and figures. He ought to know the capacity of the electrical machines installed there. He could send one of his engineers, and in five minutes that engineer could see what is the capacity of those machines.

Sir WILFRID LAURIER. We know nothing about machines.

Mr. J. A. CURRIE. The First Minister (Sir Wilfrid Laurier) must know that the capacity is stamped on every machine.

An hon. MEMBER. He says we know nothing about machines.

Mr. J. A. CURRIE. I see. The machines to which hon. gentlemen opposite are more accustomed do not read in amperes and volts, but in votes. They are not so much electric machines as election machines. But, in the case of electrical machines, any second-class engineer could go down to those works and, in five minutes, inform the minister whether the plant had more capacity than it was using. For each machine will certainly have the brass plate showing its capacity. Then the engineer could read the meter, and a reference to the books will show the quantity they are selling. A very brief sum in subtraction would show whether the machine is working to its capacity or not. It is very surprising that the Minister of Railways and Canals, who has a staff of engineers and technical officers, should not be able to answer the question that has been put. In fact, the report made by his engineers should contain that information. The question is an important one. What is the use of giving a charter to a transmission company if there is no power to be transmitted? If the power company are now using up all the power their plant will develop, what is the use of this line, and of all this fight in parliament? But, if they are using only, say, one-third of the power they might generate, I can see the necessity for further legislation.

Mr. ARMSTRONG. Will the minister (Mr. Graham) say that he will send an engineer and investigate for himself the amount of power that is developed?

Mr. GRAHAM. They can not develop any more power than the water will give them. If this Bill goes through and we get power to transmit electricity, we will soon find out whether they have a surplus or not.

Mr. S. SHARPE. I would ask the Minister of Railways and Canals if the parent company are in default under the provisions of the Act of 1901? If they are, the House should be very careful about passing legislation that will have the effect of reviving their rights.

Mr. GRAHAM. My own opinion is that they are not in default. If I remember well, one of the amendments proposed by my hon. friend (Mr. S. Sharpe) deals with that—

Mr. S. SHARPE. Yes, I have given notice of an amendment to safeguard that point.

Mr. GRAHAM. There is no question in my mind that they have not forfeited their right.

On section 12 (a).

Mr. R. L. BORDEN. The hon. member for West Lambton proposed an amendment to be found at page 760 of the Votes and Proceedings. I should think it would be well to bring it in here as section 12 (b).

Mr. PARDEE. I move that the following be added to section 12, as subsection (b):

Nothing herein contained shall be deemed to constitute an approval by parliament of any future development of water-power by erecting a dam in or across the St. Lawrence river under the Act 1 Edward VII., chapter 3, intituled: 'An Act to incorporate the St. Lawrence Power Company,' or otherwise. Nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

Mr. R. L. BORDEN. If the hon. member (Mr. Pardee) has no objection, I would prefer to have that go in as section 12 (b).

Mr. PARDEE. No objection.

On section 14.

Sections 136, 137 and 141 of part II. of the Companies Act shall not apply to the company.

Mr. LANCASTER. Would the hon. gentleman please tell us what is the language of these sections.

Mr. PARDEE. Section 136, as I read it, relates to the law regarding changing the head office of the company. Section 137 says that certain by-laws should be sanctioned by the shareholders, and that in special cases, the Governor in Council should give his consent. In Section 141 deals with the amount that should be paid upon the stock subscribed for.

Mr. R. L. BORDEN. It is dealing with matters of internal organization.

Mr. S. SHARPE. I would like to submit an amendment as follows:

Nothing in this Act contained shall be construed to revive any powers of the company which may have become null and void by reason of the said company not having complied with the provisions of its Act of incorporation.

Mr. PARDEE. I think we have had quite sufficient legislation regarding this company, and that we ought not to make a special enactment of that kind apply to it.

Mr. S. SHARPE. This is a very important provision. We are making some amendments to the Act of 1901, by reason of which we may revive rights that the company have lost. If the company have lost rights which they had under the Act of 1901, it is important that they should not be revived. The Act of 1901 gives the company power to dam the St. Lawrence some 57 miles and includes four water-powers. If the company have lost any rights under the Act of 1901, we should not revive them, and the country should get the benefit.

Mr. DEPUTY SPEAKER. Has the hon. gentleman given notice of his amendment?

Mr. S. SHARPE. It is so manifestly in the public interest that I thought the promoter would accept it without notice.

Mr. SPROULE. By unanimous consent we can proceed without notice. This amendment appears to be framed for the same purpose as the other.

Section 14 agreed to.

Mr. HUGHES. Before this Bill comes up for third reading, the whole Bill should be reprinted, as there are many amendments. Has the right hon. gentleman any objection?

Sir WILFRID LAURIER. So far as I am concerned, I have none, and I can rely on my hon. friend having no objection and no bad intentions.

Bill reported.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

HAMILTON, WATERLOO AND GUELPH RAILWAY.

House again in committee on Bill (No. 79) respecting the Hamilton, Waterloo and Guelph Railway Company.—Mr. Harris.

On section 7,

Mr. MACDONELL. Mr. Chairman, when the earlier clauses of this Bill were being considered, I had not the advantage of being in the House. The Bill has gone partly through, but I would like to take the position now that I would have taken if I had been in the House when the first clause was reached. Perhaps it will be just as expeditiously proceeded with if I take the ground now that I intended to take, because the objections that are taken to this Bill were the same objections that were taken when the Bill was in the Railway Committee. When the Bill was before the committee for a number of days, it was very fully discussed and was objected to as strenuously as the circumstances would permit. The Bill was amended very largely and some of the municipal objections—the objections by the city of Toronto—were removed. The principal objection that was taken was that the promoters who were asking for this Bill should have applied for whatever legislation they want to the Ontario assembly. The Bill is one that asks for a charter which is purely local in its character. The promoters are asking parliament to extend the powers contained in the original Act, being chapter 106 of the Act of 1906 of this House. This company was incorporated in 1906 under the chapter I have cited. The Act there gave the company power to construct a railway, properly speaking, from Hamilton to Waterloo, and another branch from Hamilton to Guelph, to be called the Hamilton, Waterloo and Guelph railway. By the Act, the undertaking of this company was declared to be a work for the general advantage of Canada. It was a purely inter-urban electric railway, which was given incorporation by this parliament. I desire to point out that four years have elapsed since the original Act was passed, and during those four years the powers conferred by parliament on this company have lapsed. The company have not carried out the requirements of the statute, and they are in the position of practically applying here for a new charter. I contend that they are in no better position than they would be were they applying here in the first instance, because they have lost whatever powers were given to them by their Act of incorporation. They have lost these powers because of non-user of the powers, because they did not proceed, under the requirements of the Act, with the construction of the road. Not a rod of this railway has been constructed. It is contended by the promoters that a large amount of money has been spent in surveys and preliminaries of that nature. I am not aware whether that is so—I presume it is so—but even if it is so, the company has not complied with the requirements of spending 15 per cent of the total cost in the construction and the commencement of the construction within two years, as mentioned in the original Act of incorporation. So that, they are here to-day asking for incorporation, and they are in the same position as if they

were here for the first time. The objection I raised in the Railway Committee, and which I desire to raise now is that the matter is one of purely provincial concern, and that this is a railway that has its form, as it were, pointed out by the British North America Act. The sections of the Act are well known to hon. gentlemen present, and I shall just simply refer to them very shortly. Section 92 of the British North America Act, which contains exclusive powers of the provincial legislature, declares in subsection 10 that provincial jurisdiction shall be exercised with respect to:

> Local works and undertakings other than such as are of the following classes:
> (c) Such works as, although wholly situate within the province, are before or after their execution declared by the parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.

This work, because it is declared to be for the general advantage of Canada is, by virtue of our constitution, a Dominion undertaking. The effect of having it declared to be a work for the general advantage of Canada is, of course, to remove it from the provincial control and give it the status of a Dominion railway. What reason is there for it? It was argued on behalf of the promoters of the Bill in the committee that these powers were essential. Some hon. gentlemen argued that because it crossed Dominion railways it should be declared to be a Dominion undertaking. That objection has long since been removed, if it ever existed in a case of this kind. Other hon. gentlemen urged, with regard to the handling of through traffic, that it was essential that it should be a Dominion railway and that it should be as such subject to the control of the Dominion Railway Commission. Section 8 of our own Railway Act removes both those objections. As hon. gentlemen will recollect, section 8 reads as follows:

> Every railway, steam or electric street railway or tramway, the construction or operation of which is authorized by special Act of the legislature of any province, and which connects with or crosses or may hereafter connect with or cross any railway within the legislative authority of the parliament of Canada, shall, although not declared by parliament to be a work for the general advantage of Canada, be subject to the provisions of this Act relating to—
> (a) the connection or crossing of one railway or tramway with or by another, so far as concerns the aforesaid connection or crossing;
> (b) the through traffic upon a railway or tramway and all matters appertaining thereto;

Both these reasons that were argued why it was necessary for this undertaking to receive Dominion incorporation are met, and provided for by section 8 of the Railway Act which puts this railway, for these two purposes, under the control of the Railway Commission for Canada. This section 8 of the Act seems to have been enacted for the very purpose of meeting such cases as this. Otherwise there was no use in passing this. If short railways, railways that do not extend beyond the province or connect with a railway in a foreign country, are to be given incorporation here simply because they ask for it, what is the use of section 8? This section was surely passed for the purpose of allowing provincial railways to take provincial incorporation, and at the same time have the advantages of the Dominion Railway Board if they so desired. It has also been urged that for the purpose of financing a railway a Dominion charter was necessary, and while that may be so I desire to point out that if this were a provincial railway it would be governed by the Ontario Railway Act, as administered by the Ontario Railway Commission, and subject to all the advantages and restrictions of that Act. This is in no sense a main highway of commerce. It is an electric railway, and as originally chartered it had power simply to construct from Hamilton to Waterloo, and from Hamilton to Guelph. Not a single foot of that railway has been constructed under that charter, and yet it now applies to this parliament for power to build a branch line from the city of Hamilton to the city of Toronto. So far as that new branch is concerned it is in the same position as if it were now applying for the first time for Dominion incorporation. That branch line is an entirely provincial concern, and in the respect that the most important feature of the Bill is with regard to its entrance into the city of Toronto, it is a municipal undertaking. It may be said that the interests of the city of Toronto are safeguarded, and, while they may have been to a certain extent, yet to a large extent they are not. This railway has not filed plans, it has not told the public how it is to enter the city, it has no route mapped out, and yet it gets a roving charter to come from the western limits of the city into the terminal station, and with certain rights of stopping at intervals, subject to the regulations of the Railway Commission. The provision for an entrance into Toronto is the feature of the Bill on which a fight was made in the Railway Commission, and as without that the Bill does not amount to anything, it is the feature which the promoters are anxious to retain. It was said in the committee that there was objection offered to railways entering Toronto, but that is not the case. The Toronto council make no objection to railways entering that city under proper conditions, but the people of Toronto certainly do believe that a railway should enter their city in a proper way, and that

plans and maps of the route should be filed, showing where highways are to be crossed, and how it is proposed to cross them. That certainly is a matter for the consent of the municipalities. This railway company has power to enter the city, and expropriate a right of way which is not delimited or set down on plans, so that any one interested may know where it is going. The company has also the right to cross over, and under highways, and the Bill gives them power practically to force an entrance through the city in any way they may please. I would point out to the committee that this is at best a suburban railway, and that like other suburban electric railways it should be under the provincial railway board.

Mr. EMMERSON. Is Hamilton a suburb of Toronto?

Mr. MACDONELL. We hope some day that it may be.

Mr. LANCASTER. Some day Toronto will be a suburb of the whole Niagara district.

Mr. MACDONELL. The Toronto railway, the Mimico railway, the Metropolitan railway, the York Radial railway, and the railway running out the Davenport road are at the present time all under provincial control, and they experience no hardship from that. There are many reasons why this road should be retained under provincial control. It is a street railway. True, it is not going on the highway, so we are told, but there is nothing in the Bill which gives us any guarantee as to that. Let us assume that they will expropriate their right of way through the country and still they are a suburban road, radiating some forty miles from Toronto through two counties. Why should not such a road be governed by the provincial law as are other railways of a like character? We are asking that this railway should be under provincial control, and that it should have the consent of the municipality before entering the city. What is the fight of this municipality to-day will be the fight of another municipality to-morrow. Our cities are growing, and the railways are radiating from the large centres of population, and if this parliament is going to declare that all these suburban roads are for the general advantage of Canada then the various provinces might just as well here, and now drop the idea of incorporating any railways, and providing regulations for them.

Let me point out that the local conditions of each province are made by local feelings, and local requirements. These are not Dominion matters. The environments of Toronto are not similar to those of Montreal or those of Winnipeg or those of Vancouver. The different provinces have the right, under the British North America Act, to create their own local authority in accordance with their own local requirements and local sentiments; and I ask if that is not reasonable. Otherwise, what would be the use of giving them these powers? The people of one province know that what is good for them may not be good for the people of another province. Take, for instance, Sunday regulations. The province of Ontario has adopted the Sunday law. Other provinces may not choose to adopt it. They may desire to have their railways run on Sunday. The province of Ontario has adopted a law providing that any city having a population of over 50,000 can hold a plebiscite as to whether the cars may run on Sunday or not. That is a matter which concerns local conditions entirely. I submit that all these local matters should be left to be worked out by local authority. Let me mention a few conditions of the Ontario Railway Act which are not provided for in the Dominion Act—conditions that have arisen because of local requirements and local sentiments in the province. These conditions may not suit other provinces, but they suit the province of Ontario. It is set down in section 81 of the Ontario Railway Law that a railway operated by electricity shall stop at such places in addition to those fixed by the company as the board may from time to time by resolution direct. They have power to fix additional stopping places if they desire. Section 171 is a very important section, providing that fares to be taken by a company on a railway operated by electricity shall not exceed for each passenger five cents for any distance not exceeding three miles and for any excess two cents per mile; and for each passenger under ten years, three cents for three miles, and for additional distance one-half fare. Subsection 2 of the same section provides that pupils under 17 years of age actually attending school shall be entitled to eight tickets for 25 cents. These rates have been enacted as fair charges for the carrying of passengers. If this road were under Dominion regulation it would not be subject to this tariff; there would be no means of enforcing it; while other companies operating side by side with it, and under provincial control, would be required to observe these rates of fares. Why give one railway company advantage over another operating in the same district? By section 202 any privilege granted by a corporation to a railway company cannot be granted for a longer period than twenty-five years. Section 208 provides that no municipality shall grant to any railway operating by electricity any privilege to operate along a highway for a longer period than twenty-five years. By section 221 all motormen are required to pass inspection by an examiner as to habits, phy-

sical ability, and intelligence. This applies to a street railway or a railway operated by electricity. By section 227 no company operating a line, of railway of twenty miles in length or over shall permit or require conductors, engineers, etc., who have worked in any capacity for sixteen consecutive hours, to go again on duty unless they have had six hours rest. Section 193a provides that no employee shall be required or permitted to work for more than six days of ten hours each in any one week nor upon any Sunday when he has worked the previous Sunday. Section 256 provides that the board may at all times enter on a right of way, use the same, erect poles or place and put down wires and poles for transmission of electrical or other power from any plant in the province of Ontario to the works and plant of any municipal corporation. The board has a right, where power is being distributed, to enter on the right of way, and use the right of way and the poles, wires, etc.,—with proper compensation, of course—to supply the municipalities with electrical power. There are many more provisions of the provincial Act which work out along local lines, and which give to the people of the districts through which these roads run the protection and the service which they require. Having regard to these facts, it seems to me that it is highly improper for the parliament of Canada to continue to assume jurisdiction over these railways. I think I am safe in saying that from one to two months of the time of the members of this House during the present session has been taken up with railway legislation, either in this House or in the railway committee. That time was taken up unnecessarily. The provinces are often heard. In this particular matter, a number of municipalities protested in the Railway Committee against this Bill, but it was of no avail. The government could have prevented this legislation if they had said that this is not the kind of legislation properly enacted at Ottawa. But no effort of that kind has been made. These little railways are not in any sense Dominion roads, and are not expected to merge into Dominion roads. If this were a short steam railroad, one might suppose that at some time it would be absorbed by one of the great railroads of the country. But it is only a suburban electric railway, which will never become a part of the great railway system of the country. If we are going to continue to pass Acts of this kind, as the country grows as the various capitals and other centres of population become as large as Toronto, history will repeat itself, and legislation of this kind will be continually asked for. Therefore, the time has surely come when this House should say whether or not we are going to deal out small railway charters which are not properly within the province of this House. It is not as if this matter had not been already brought to the attention of this House. As long as I can recollect, this House has been passing provincial legislation of this character. Under the name of Acts for the general advantage of Canada, it has been giving to purely local undertakings broad Dominion legislation, which has enabled them to override the interests and rights of localities and provinces until conditions have arisen that are almost unbearable.

The original rights that were granted when this company was declared a work for the general advantage of Canada have expired. That time has gone by and they are coming now as if they were asking in the first instance for this right and in addition to that, as far as the Hamilton and Toronto branch is concerned, they are here, now for the first time seeking an extension of their rights and seeking to get over that extended route the benefit of the declaration that they got when they were first incorporated. If they had gone on and completed their work one would suppose that they had some status here at least, but having done nothing but make their surveys and preliminaries of that kind and not having attempted to construct the road or do any actual work in the field or on the ground, they have no right to come here and ask to have this branch declared to be a work for the general advantage of Canada. For these reasons I say they should go to the provincial authorities and should be put under the proper regulation of the railway board and the Ontario Railway Act the same as other railways operated in a similar way within a local radius, and they should take the consequences whatever they may be. The company is supposed to be operating in connection with the Hamilton Radial railway which was incorporated here some two years ago. They have done nothing since, they have not built any works, they have made no headway with their undertaking and before the Railway Committee it became apparent, in fact it was admitted, that the interests were identical. You find much the same gentlemen applying in this case for incorporation, and the objection which was taken then was that they should be confined to the rights and powers given them by the Hamilton Radial railway and should work under that charter. Hon. gentlemen will perhaps recollect the contest that arose over the Hamilton Radial railway. That Bill was forced through this House and through the Railway Committee after a very long and stubborn fight and these are the same gentlemen. What was said upstairs in the Railway Committee was that they should operate over the right of way and under the charter of

the Hamilton road. But that apparently did not suit the hon. gentleman who was promoting the Bill with the result that the rights given to the Hamilton Radial railway have been duplicated in this particular instance. What the effect is going to be one does not know, you cannot tell whether these people will build the road or not. They have made no manifestation of the character of the road or where it is going, one cannot say just what they are going to do about that. They are asking for this additional charter. The original Hamilton Radial railway have a charter under which they can now operate and the granting of this charter is an unnecessary duplication of the rights then granted. If nothing further is done with this Bill these people will not be suffering any injustice because they will still have the original Hamilton Radial Bill under which they can operate which gives them all the rights they should have and all that the municipality of Toronto thinks they should have. At that time it was Hobson's choice whether Toronto would take the terms submitted or go on in what was apparently a hopeless fight in further opposing this Hamilton Bill. So it is with this Bill. Certain amendments have been arrived at, they are before the House, but in this case again it is Hobson's choice. They are the best terms that can be made, and amendments are inserted which are now before the House and which I have said protect and safeguard the locality in so far as its local business and traffic is concerned. The main objection still exists that this is invading a municipality and municipal and provincial rights under the guise of being a work for the general advantage of Canada when in substance and in fact it is not. It is getting that name in a manner which is not justified. They have shown no reason except that they want it and the further fact that in order to finance the road they require these broader conditions. If that be so, if it is necessary in order to finance the road that this company should evade provincial conditions and, in fact, a provincial Act, does it not show on the face of it an admission that the safeguards thrown about provincial railways are such that they are in the public interest because the railways are constantly seeking to avoid and evade them? For these reasons it is right and proper that they should be compelled to take their local incorporation, to take the thick with the thin, to take the onerous parts together with the rights conferred and work out their rights and existence under local conditions in the same way as other railways operating in a similar manner. I therefore think it only right to move that this committee rise.

Mr. LANCASTER. I am sorry to have to disagree with my hon. friend as to the advisability of this legislation. In 1906, when this railway was first incorporated by this parliament, I took the same position as he does now. I thought it was a work that ought to be, as it was then, limited in distance as described by the hon. gentleman, to the provincial legislature. That is why I then saw no reason why it should be declared a work for the general advantage of Canada. But my vote did not prevail; I was in a minority, and it became an incorporated company with Dominion jurisdiction. That was confirmed in 1908 by an amendment to the Act so that twice this parliament has dealt with this railway as a Dominion work. If you refuse now to pass this Act because we think it should be a work for the provinces to deal with, we will make it impossible for the railway to be built under any circumstances. The fact that it did not build its road makes no difference; the company exists and exists as a work for the general advantage of Canada, and that no province can interfere and make it anything else. So, the hon. gentleman will prevent this railway from being built to Toronto or anywhere else if his motion prevails. We are bound by the statutes of this country. We may vote in the minority when they are passed, but when the statute is passed, the majority and the minority alike are bound by it. This railway could not build at all if we did not continue it as a work for the general advantage of Canada. To say that because this railway is going to extend, because it is going to the city of Toronto, or anywhere else, that because it is getting bigger, therefore it should be made provincial, does not seem very reasonable to me. The larger it is the more reasonable to call it a work for the general advantage of Canada. It would seem that the city of Toronto wants some special control over railways which other municipalities do not have. So far as the hon. member's fight for the city of Toronto being a fight for all the municipalities of Canada, if that principle had been acknowledged in the first place, we should have never had any railways. If every municipality were to take the position with regard to every railway charter that the city of Toronto takes with regard to this charter, no railways could ever have been built. We must remember—and this is the main reason why I rose to speak—that we have established this line as a Dominion work. My hon. friend was there—at least, I suppose he was—in 1906, when I took the position that a provincial charter should satisfy this

road. But, as I have said, I was in a minority; parliament passed the Act constituting this a Dominion railway. So, if you deny this road the power to build further you prevent it being built at all. But, I think we want all the railways that we can get in this country, and I feel obliged to vote here, as I voted in the Railway Committee, for the extension of this road to the city of Toronto. We must be reasonable in these matters. If we say that because the road goes to the city of Toronto it must be treated in a way different from that in which it would be treated if it did not go to Toronto, I think that we should be acting most unreasonably. The city of Toronto is powerful. It has perhaps more able, intelligent and clever people than any other city in Ontario—it ought to have, for it is bigger than any other. It is well able to take care of itself where its rights are in question. But the Railway Act of Canada protects the rights of the people everywhere, provided that the Board of Railway Commissioners do their duty. I am not throwing bouquets at the Board of Railway Commissioners, but I have had experience of them, and, unless some one will take the responsibility of saying that they do not protect municipalities, including the city of Toronto, then there is no reason for passing special legislation for the city of Toronto; it should be dealt with the same as any other municipality. The rights of Toronto are larger in quantity, but in quality they are the same as those of any other municipality. It seems to me that Toronto, under the plea of municipal rights, really asks for municipal privileges different from those given to other municipalities. No matter how large the city of Toronto grows, its rights are no different in quality from those possessed by any other municipality.

What are the objections raised by the hon. gentleman to this road remaining under Dominion charter? He says that the principal reason for putting it under provincial jurisdiction is that it may be under proper control. Is there want of proper control by the Dominion Railway Board? I think not. The Railway Act hedges the municipalities about. The very point to which my hon. friend refers, the danger of interference with the streets of of Toronto, is protected by the Railway Act. The Board of Railway Commissioners cannot allow the railway to run on the streets of the municipality. The law does not specify Toronto in this connection, but refers to cities and towns, and, Toronto being a city, it must have the same protection as any other city in that regard. There is no need now, and there never has been, for saying that there is no proper control of this matter. The other point that the hon. gentleman mentions is the Sunday law of Ontario, under which municipalities of over 50,000 can decide whether cars shall run upon their streets on Sunday or not. The general law of Ontario does not allow any railway to run on Sunday. So long as that law remains, then, in the interest of the poor man of this country, I would take that as a reason why this road should continue to be a work for the general advantage of Canada. I say, it is for the general advantage of Canada that the poor man should be allowed to ride on electric cars on Sunday. I say that after due consideration of its effect upon the morals of the people. In the county of Lincoln we have two roads, one of which for from sixteen to eighteen years and another for from twenty to twenty-five years have had the privilege of running electrical cars on Sunday. One is run under a provincial charter given before the comparatively new provincial law was passed, and the other runs under Dominion charter. I do not think that any sensible man would stand up in the county of Lincoln and say that these Sunday cars are anything but a blessing to the whole community. If they were not allowed to run on Sunday, of course, there would be a loss of revenue to these institutions. But in the Sunday cars there is a benefit to the poor man who cannot afford to keep or hire horses, before he can get away from his own door on Sunday. That, in my opinion, and I believe in the almost unanimous opinion of the county of Lincoln, is an advantage to the country in every sense. Therefore, in so far as running cars on Sunday is concerned, so long as the provincial law remains what it is, it seems to me that this is a reason why the people will come and ask for Dominion incorporation. Those promoting these enterprises must be practical and they cannot expect to get the capital with one-seventh of the income cut away. They cannot convince anybody the road will pay, they cannot succeed in building the railway under provincial charter, other than a mere street railway in some city. But this, as I understand it, is not a street railway, but an electric railway to connect a number of towns with the city of Toronto. The change that is proposed in this case will only have the effect of preventing this road being built at all. Under the decision of the courts it remains a work for the general advantage of Canada. As to rates of fare, and as to the twenty-five years limitation upon the charter, the very existence of that limitation means that the attempt to capitalize a railway under the provincial law of Ontario will amount to nothing. When the charter runs out at twenty-five years, the company is at the mercy of popular clamour or popular opinion. Who will invest money under these circumstances?

That is why no railway companies are ap-

plying for provincial charters to-day. I do not think that, except in the case of an electric road, there has been any application in Ontario for a provincial charter by a railway company within the last ten years. I know of no railway built under a provincial charter except a purely street railway —no railway connecting one town with another. These very restrictions which my hon. friend points out as applying to provincial roads are the very reasons why these companies are forced to go to the Dominion parliament for incorporation. If we did not have a Board of Railway Commissioners protecting municipalities of all kinds, Toronto as well as the others, in all their rights, I could sympathize with the object of putting some special enactment into this charter to prevent the municipal rights of Toronto from being encroached upon. But the different sections of the Railway Act have hitherto protected Toronto and every other municipality, and the Board of Railway Commissioners is perfectly able and willing to protect all municipalities to the fullest extent. Another reason why I trouble the House on this matter is that some of the newspapers have taken me to task. As a rule I do not care very much what the newspapers say about me. In the ten years I have been in this House, I do not think I have ever risen to a question of privilege on that ground, but some of the Toronto newspapers have undertaken to assail me as a member of the Railway Committee in this connection, and I wish to inform them of the actual facts so that they may have no excuse for making such foolish attacks in the future. In the Toronto 'Globe' of March 25, I find the following article:

It is announced that the sub-committee of the Railway Commission of the House of Commons, appointed to frame a fair compromise between the corporation of Toronto and the Hamilton and Guelph Railway Company, has succeeded in its assigned task. The solution arrived at debars the company from crossing over or under the city streets except on plans agreed upon by its own engineers and those of the city, the Board of Railway Commissioners to arbitrate in the case of an otherwise irreconcilable difference of opinion. The company is debarred entirely from running along any streets. This outcome of the dispute is much more favourable to the city than the original proposals were, and the keenness with which the representatives of the company contend for what they wanted gives some idea of the loss the city would have sustained if they had got it.

As an ordinary and very humble member of the Railway Committee for the last ten years, I resent the imputation contained in that statement. The Railway Committee has always been willing to protect the city of Toronto to the fullest extent. After this Bill had been before the committee for about three weeks, the mayor and other representatives of Toronto agreed to accept an amendment providing that the railway should not be built through the city of Toronto except on such plans as might be approved by the Board of Railway Commissioners.

Mr. MACDONELL. Hobson's choice.

Mr. LANCASTER. Then it is the choice that Hobson ought to have. It is all that any other municipality has ever asked for or obtained. What I object to is that the city of Toronto should be perpetually coming here asking for special privileges and legislation. What I would point out for the benefit of the newspapers is that all Toronto has obtained, it would have got at the first hearing of the Bill. If it had never sent a representative to the Railway Committee, the result would have been exactly the same. Under section 235 of the Railway Act, a railway cannot be carried upon, along or across any existing highway without leave being obtained from the Board of Railway Commissioners, and that is subject to this special provision:

The board shall not grant leave to any company to carry any street railway or tramway, or any railway operated or to be operated as a street railway or tramway along any highway which is within the limit of any city or incorporated town, until the company has first obtained consent therefor by a by-law of the municipal authority of such city or incorporated town.

By section 237, providing for crossings under, over or across a railway, the plans must be submitted to the Railway Commission, which must hear all concerned, and then make an order declaring where, in the best interests of the public, the railway should go. That would have applied to Toronto, had that city never been heard on this measure. The Railway Committee of this House does not require to be clubbed or worried into proper decisions by the mayor or the aldermen of Toronto or any other city. At the first meeting of the committee I pointed out that the Railway Act was sufficient, and that is all the city of Toronto is getting by the special section added to this Bill.

The representatives of the city of Toronto argued strenuously that they should dictate to the railway company where to put the stations, but in the end that decision was left to the Board of Railway Commissioners. That is the law to-day, confirmed by a decision of the Supreme Court at its last session. The Supreme Court decided that the power to locate and determine how many stations shall be built is absolutely in the Railway Commission. So that we heard a great deal with regard to this matter which should never have been mentioned. The rights of Toronto will be treated the same as those of any other city. The rights of Toronto may be greater in quantity but not in quality than those of

St. Catharines, Wodstock, Hamilton and other municipalities; and notwithstanding the clause added to this Bill, I am bound to say that the position of Toronto was exactly the same, and its rights just as much protected as if its representatives had not come here at all. It was said in the 'Globe' that we had to be clubbed and importuned by the representatives of the city of Toronto before we were disposed to pass a piece of legislation that fully protected the city of Toronto. Such a pretension is absurd. The Railway Act protects Toronto just as it does every other municipality. This railway was declared in 1906 a work for the general advantage of Canada—and no Toronto gentleman opposed that in this House, no Toronto alderman came here to argue against it. It goes to the city of Toronto, and we must know that no railway is going to build if it cannot reach the large centres of population, and when we find that it is going to Toronto, we have the city of Toronto, under the name of municipal rights, coming down here and engaging in what I am bound to say is nothing more nor less than municipal obstruction. They have had, and always will have, as far as the Railway Committee is concerned, exactly the same rights to protect their streets as any other place, and if the railway does not run upon the streets, they will have the right to ask the Board of Railway Commissioners to decide on the proper place for them to enter the city. The hon. gentleman first argued that they should have a provincial charter, but I can see no good reason for such contention. They could not now get a provincial charter, the road having been declared a work for the general advantage of Canada and consequently, having regard to the trouble that there is with regard to Sunday cars and of getting capitalization for provincial railways in the province of Ontario, I would be obliged to say that the Bill is a good one in the interest of the whole country, and I shall have to vote against the rising of the committee.

Mr. J. A. CURRIE. It is extremely unfortunate that my hon. friend and colleague on this side of the House (Mr. Lancaster), should take the stand that he has taken on this particular Bill. He is usually well informed, he is generally enthusiastic in the advocacy of public rights, and I have therefore followed him on many other occasions. But, on this question, there is an issue that is altogether different from any that could be raised, as far as the city of Hamilton, the city of St. Catharines, or the other cities in Ontario are concerned. Were the situation the same I doubt not but what I would follow him. He argues from the general principle that we should give to the city of Toronto no more rights than we give to any other city in the province. That is a fair position to take, but what are the facts? The rights of the city of Toronto in this case are certainly far and beyond the rights of any other city, as far as local traction is concerned. Many years ago Toronto purchased and paid hard cash for the franchise that then existed. It paid $600,000 to extinguish the franchise rights of the railway company and it bought under a contract, which was cemented and bound by legislation of the province, the right to the franchise in its own city. That put the city of Toronto in a different position from any other city or town in Ontario. That gave Toronto a proprietary right in the franchise, and in all the street railway traffic within the city, and I wish this House, in approaching this question, to look upon this Bill, not so much as an invasion of provincial rights, as an endeavour to have Dominion legislation imposed upon the proprietary rights of the city of Toronto in its franchise. The city is in exactly the same position with regard to its rights in its franchise as the Grand Trunk railway is with regard to its rights in the Union station, or the Canadian Pacific railway is in with regard to its rights in its own tracks. If any man came to this House and proposed to secure a charter to carry on the business of a steam or any other railway in the city of Toronto, and this House gave the promoters the right to force an entrance into the Union station, which is owned by the Grand Trunk railway company, what would this honourable body do? They would say: Before you come here you must make a contract with the Grand Trunk railway; we will, if necessary force the Grand Trunk railway to make a contract with you; but you must make a contract and you must pay for that contract. What does the city get out of its proprietary right in its own charter?—the right to collect fare from every passenger who travels over the traction railways within its own bounds. These traction roads come to the limit of the city of Toronto, the passengers alight and go on by the cars of the Toronto street railway company, and a proportion of the fares that they pay on these cars goes to the city, and amounts to a large sum every year. The position of the city of Toronto is that of a proprietor. It is not some visionary jurisdiction that is possessed by the city, it is not a matter of a franchise which seems to have dropped down from heaven, but the city has rights which it has paid for. This House which has always endeavoured to prevent any invasion of private rights should maintain the traditions of this House and of the greater House in England where private rights are also always respected. The ingenuous arguments of the hon. member for

Lincoln drop to the ground the moment you approach the question from the standpoint that the city of Toronto was the owner of its own franchise. It is true that it has leased that railway to the Toronto Street Railway Company, the same as it might lease a portion of its rights to any other railway company. Another matter that has been brought up is the question of provincial jurisdiction. The hon. member for Lincoln knows very well that he had no ground for arguing that there was any right in this House under any of the old conditions that used to obtain, to grant this railway charter with a clause giving it supreme jurisdiction as far as being a railway for the general advantage of Canada is concerned. The Railway Committee, with very few exceptions, has laid down certain rules, as far as this is concerned, and these rules provide that where a railway crosses the frontier between Canada and a foreign country, this parliament should have jurisdiction to charter the road, that where a railway crosses from one province to another the jurisdiction should rest in this parliament, and that when a railway with a provincial charter crosses a Dominion railway this government should have jurisdiction, not over the provincial railway, but over the crossing. That, as far as I understand it, is the course that has been laid down, and that is as far as they permit jurisdiction of this kind to extend. No one would for a moment attempt to argue that this road is covered by any one of these rules. It is not a provincial road, it is not an international road, it is purely a local road, and there is no argument in favour of granting a charter by this House except the absurd argument about a Sunday law, advanced by the hon. member for Lincoln. What jurisdiction has the province in this case? What does the provincial jurisdiction do? It charters railways of this kind and would grant this railway company a charter had it asked for it. The argument of the hon. gentleman that if that railway company does not get its charter here it cannot get one anywhere else is absurd. Ontario will grant this railway a charter.

Mr. LANCASTER. It cannot by law.

Mr. J. A. CURRIE. I do not know where the law is that will prevent it.

Mr. LANCASTER. Then the hon. gentleman has no respect for the decision of the Judicial Committee of the Privy Council, which is, that a line having been declared by the parliament of Canada to be a work for the general advantage of Canada, it must always remain so, and the provincial jurisdiction is lost for ever.

Mr. J. A. CURRIE.

Mr. J. A. CURRIE. The hon. member is pettyfogging and quibbling; he knows very well that this charter has expired by eflux of time.

Mr. LANCASTER. It has not.

Mr. J. A. CURRIE. He knows that when a charter expires by eflux of time the men who own that charter can go to any province in the Dominion, and get a similar charter.

Mr. LANCASTER. I want the hon. gentleman to distinctly understand that his proposition is again absolutely wrong in law. When the time for building a road has expired the company does not die. The company has been declared for the general advantage of Canada, and it continues in existence.

Mr. J. A. CURRIE. Does the hon. gentleman claim that a company incorporated by this House to build a railway, and which has never turned a sod continues in existence when its charter expires. Why, all the affairs of that company are virtually in liquidation.

Mr. LANCASTER. You are all wrong.

Mr. J. A. CURRIE. I don't think so.

Mr. LANCASTER. The Privy Council has decided against you

Mr. J. A. CURRIE. Well, there must be a tremenduous sized morgue to hold all these charters that have died. Outside the Canadian Pacific railway, the Grand Trunk the Grand Trunk Pacific and the Canadian Northern none of the hundreds of private companies that have been chartered for the past ten years ever built more than ten miles of road, and the man that built that ten miles is in an asylum. Now, these men can obtain similar charters from the provinces, but the difference is that when a company of this kind gets a provincial charter the province takes care to protect the interests of the municipality. The provinces look upon the dealings of such a company as this with the municipalities, in the light of contracts. The argument used by the member for Lincoln, and which is unfortunately not made clear by the member for South Toronto (Mr. Macdonell) has been used in the corridors to canvass for this charter, and it is that the province of Ontario will not grant a railway of this kind a charter for a longer term than twenty-five years, and that it would be impossible for the company to finance on such a short period. Well, that is a quibble again. The hon. gentleman (Mr. Lancaster) knows the law.

Mr. LANCASTER. Are you sure I know the law?

Mr. J. A. CURRIE. Perhaps you don't, but I always thought you did. I have a good deal of confidence in the hon. member's knowledge of the law, but he sometimes has a convenient faculty of forgetting the clauses of an Act when it suits his purpose.

Mr. LANCASTER. Come again.

Mr. J. A. CURRIE. The hon. member forgot to tell the House that where a provincial steam or electric railway wishes to carry on its business on its own right of way it can do so to the extent that in that respect its franchise is perpetual. And, it is only when such a railway wishes to use the streets of a town or municipality that the provincial Act obliges them to make a contract with that municipality. Time and again this parliament has put a similar clause in railway charters, and so far as that is concerned there is no difference between the provincial and Dominion law.

Mr. LANCASTER. Will the hon. gentleman tell me of some charter which we granted, saying that the company must come back here again at the end of twenty-five years?

Mr. J. A. CURRIE. Yes, sir. The municipal Act of the province of Ontario says that a municipality cannot grant a franchise for a longer term than twenty-five years.

Mr. LANCASTER. I am talking about this parliament.

Mr. J. A. CURRIE. Wait till I get through; I have got you pinched right there. The municipalities in Ontario only have the power to make contracts of this kind for a term of twenty-five years, and if, as we have done in this parliament, we provide that the railway cannot pass through the municipality unless it makes a contract with the municipality, and that municipality can only grant a charter for twenty-five years, the argument of the hon. gentleman (Mr. Lancaster) falls again. Now, let us consider for a moment the rights of the Crown, and as we know this question of jurisdiction has been disturbing us a great deal in this House. We have been granting charters which have purported to over ride the right of the province to the land, and the control over the streets of municipalities. I doubt very much if this parliament has the right to give any jurisdiction over the streets of any municipality in Ontario, because as I understand it the province was in the first place the sovereign power owning its own Crown lands, and I cannot find anything in the British North America Act to show that at confederation the province gave up that right. So far as I can see this company is in no sense a bona fide company, it has had a charter for a great many years; it has not expended a dollar on the road, and it comes back here time and again for certain rights. We have no guarantee from this company that if we pass this Bill they will not be down here next year asking for a little more, and this fight will be renewed, and this House will be bothered by this company asking for further privileges. The city of Toronto is in a peculiar position so far as these traction roads are concerned. The gauge of the street railways in Toronto differs from the standard gauge of the railway companies which cannot enter the city on the existing tracks, and consequently they must have a special track built for them along the streets on which they run. Until this session of the provincial parliament the city of Toronto had not the right to admit any of these traction roads on its streets, because it had given a franchise over its streets, which extends for a term of eleven years more making thirty years in all, to the Toronto street railway. This year the provincial legislature passed an Act enabling the city of Toronto to grant the right to traction companies of this kind to enter the city, and if the street railway does not accommodate them the city of Toronto can build these tracks themselves, and let the companies in. I am very sorry that this Bill has been a bone of contention, but the fact is that the city of Toronto feel that the company which is behind this road has come to this House for the purpose of obtaining by an underhand method a franchise to run right into the city of Toronto, and interfere with the proprietary rights of the city.

I agree with that. I think that if this charter passed this House, in spite of all the limitations placed in it, the first provision that should have been insisted on is that this company should make a contract with the city of Toronto under which, if it entered the city, it would be required to pay the city a certain percentage of its earnings as is done by the company at present in control of the streets of that city. I do not see a clause of that kind in this Bill. There are a great many other provisions which I would like to see inserted in it. The argument with regard to the Sunday law does not hold good, for the simple reason that if this road enters the city of Toronto, it comes within provincial jurisdiction. I do not agree with the position taken by hon. members that these roads should be permitted willy-nilly to run on Sunday. I think that the people who live along these roads should have the right to say whether they will run on Sunday or not. They are the people interested, not we in this House. Anything touching the rights of conscience should, I think, be left to the people concerned. In that respect we should follow the rule established by the

province. If any municipality makes an agreement with a railway company to allow it to run cars on Sunday, I am quite satisfied that the provincial legislature will confirm such an agreement; it has not failed to do so in any case. Consequently when this company applied to this parliament for a charter to allow it to run a railway to Toronto or under the streets of Toronto, I think this House should tell it at once to go to the provincial legislature and apply for that charter there. This is not a question that affects the province of Ontario or the city of Toronto alone. It is a greater question, affecting the rights of every city in the Dominion, and we should not require those cities to be constantly sending deputations to Ottawa to oppose Bills of this kind put forward by promotors who are seeking from this House rights and privileges for their own personal advantage and franchise in a disguised form. Let them go to those cities and apply for their franchises in the open. After they have made their agreements and contracts, then, if they want Dominion legislation, let them come here and apply for it, and show why they should get it, and as far as I am concerned I will be ready to grant it. But as far as this company is concerned, though it has been in existence for many years, it has not yet turned a sod or built a yard of railway and has no traffic rights, and for that reason I do not think we should give it any franchise rights. It would be different if this road were built to the limits of the city of Toronto and that city had refused to give it permission to enter; but as that is not the case, I do not think we should grant its request. The hon. member for Lincoln has said, and no doubt the same argument will be advanced by others, that having granted this company a charter, we should continue to extend its rights over and over again. I think the sooner we disabuse our minds of that idea the better. We know that a railway charter granted twenty-five years ago gave a great many more privileges than are given by a charter granted to-day. We must keep our legislation up to date; we must follow public opinion in this respect. We must not become fossilized. It is true, the party on this side of the House is a Conservative party; but it is for the purpose of conserving the public interests. In granting public legislation with reference to utilities we should apply the latest standards. There is no doubt that public opinion is against granting perpetual franchises to railway companies which carry on interurban business. The United States has had experience of this kind of thing. They have ascertained that these railway companies are constantly mixed up with local politics, and cause a great deal of trouble. Recent legislation in the United States has been such as to compel these railways to keep within the law, and the sooner they learn that it is not possible for them to get from the legislatures rights which they cannot get from the people, the better it will be for themselves; because they find that they can pay dividends out of the moneys that they formerly spent in the lobbies. They find that they are financially better off than they were when they carried on lobbies at Albany or other state capitals. I do not wish to encourage any traction company to come to this House to seek a franchise unless it crosses an international or an interprovincial boundary line. When it is a purely local undertaking, the people of the locality and those who are going to build the road should get together and decide on what they want, and then get their agreement confirmed by legislation, if necessary. I think these companies should be given distinctly to understand that nothing is to be gained by their coming here and appealing to the prejudice of members of this House, as has been done to-day, in an endeavour to prejudice the members of this House against the city of Toronto. This is absurd. I look upon Toronto as I do upon Montreal or any other section of the community. We are not children to be stirred up by prejudices of this kind. The city of Toronto, so far as I know, has not asked for anything but justice and right, and I think this House should do it justice and right by casting out this Bill.

Mr. SPROULE. I regret that I cannot agree with the hon. member for Lincoln (Mr. Lancaster) in his conclusions regarding this Bill. He contends that Toronto wants something that no other city of Ontario wants. Well, that may be so; but Toronto is confronted with conditions that do not exist in any other city of Ontario, and therefore very properly asks parliament to grant those which her conditions require. She has a congestion of traffic; her streets are closely built upon; and it is difficult for more railways to pass through the city without interfering with the rights of the people. The city contemplates an arrangement whereby all railways may enter by one tube or subway, and she is entitled to have some consideration shown her in the legislation we pass.

Mr. LANCASTER. Can the hon. gentleman give any reason why the railway board could not give all these rights to Toronto without Toronto insisting on being herself the judge?

Mr. SPROULE. I do not know whether the railway board can or can not do so; but once a company is before us for legislation, I do not think we are doing anything amiss if we impose restrictions upon

it and make it subject to the rights of the city which is charged with the responsibility of dealing with these local conditions with which we have nothing to do either there or in any other city in the province of Ontario, because there is no other city of the size and with the same congestion of traffic and density of population as the city of Toronto. Therefore, I claim that if Toronto does look for and expect special provisions it is our duty to consider her situation and her requirements, and if we think she is entitled to what she asks we should give it to her. Toronto objects to the Bill because it is declared to be a work for the general advantage of Canada and is so brought under the Railway Act. The hon. member for Lincoln (Mr. Lancaster) says that is right as that clause is in the general Act passed in 1906. I always thought that we had a right to amend or repeal an Act and I still contend that we have.

Mr. LANCASTER. Does the hon. gentleman seriously say that once you have assumed this jurisdiction this parliament could delegate it to the province?

Mr. SPROULE. I think we could repeal the whole Act. There is no doubt about our right to do so, whether it is wise or expedient is another question. The original Act shows the line of railway to consist of two short lines. It could not conflict with any Dominion railway, nor is there any railway that intends to amalgamate with it. A strong argument for its being a provincial railway is that it is an electric railway. Clause 8 of the original Act says that steam may be used for the purposes of constructing the railway but shall not be the motive power for its operation. I think we have now a better understanding of the rights of the provinces and of the Dominion in matters of that kind, and that if the original Bill were being passed to-day the work would not be declared to be for the general advantage of Canada. I have not looked at the amendment to the charter to see if the company then acquired the right to use steam, but there is nothing in this Bill giving them that power, and so it is not a work for the general advantage of Canada, and it is not claimed that it is a portion of any through line of railway intended to handle the traffic of the country, either freight or passengers.

I notice that in the original charter it is said that they can only enter a municipality when the municipality, by by-law, gave them permission and upon terms set out in the by-law. The present Bill is very different and says that it cannot enter the city of Toronto unless with the consent of the council of the city of Toronto expressed by by-law——— not upon the terms set out. It is generally held when we incorporate a company to do a certain thing, as for instance the construction of a railway, that, prima facie, gives them the right to do that thing and municipalities cannot refuse the right to run through their territory, they are obliged to consent and if that be held to be good law, Toronto cannot refuse the right to enter that city.

Another reason why Toronto should have special consideration is that the city owns the charter of the street railway, in about 30 years that charter must revert to the city of Toronto. I hold that when a municipality owns a franchise it should have a perfect right to handle the traffic, and we should not give any other corporation the right to go into the city of Toronto, and handle that traffic to the detriment of the city. The city should be entitled to all it can make out of its own franchise in reason, so long as it serves the public properly and cheaply. It is natural to assume that they will do that, therefore if this railway is given charter rights to invade the city of Toronto, and handle the traffic of Toronto, a great injustice will be done to that city. The company are hedged about in many ways under this Bill, yet I think that they might seriously interfere with the earning powers of the municipal franchise which Toronto will own in thirteen years. I am opposed to this Bill, first because it is an interference with provincial rights; I hold that this is a corporation that should have received its corporate powers from the provincial legislature. I am opposed to it because of the city's right to provide for the handling of its own traffic, and because of the congested condition of traffic, and the value of land, and of street rights, including those rights under the street which, in my views, should not be interfered with. If they take authority to build underground, they may interfere with the sewers, or other conveniences of the city; they might make it expensive and difficult to carry on the corporate work of the city. I am opposed to this Bill because I believe that we have improperly declared this to be a work for the general advantage of Canada. I believe that Toronto is not asking anything that this parliament ought not, in fairness, to grant.

Mr. HENDERSON. We have had a great deal of discussion on this Bill in the Railway Committee, and I presume that everything has been said that can be said to any purpose. Objection has been made to this Bill being dealt with in this parliament on the ground that the company should have a provincial charter. To my mind, it is too late in the day to discuss that, for, years ago, the company obtained a Dominion charter in which this work was declared to be a work for the general

advantage of Canada. The present Bill does not seek to make that declaration; it will be unnecessary, for it was made by a previous parliament. I am not a lawyer, nor, I believe, is the hon. member for North Simcoe (Mr. J. A. Currie) who discussed this question freely, and took strong exception to the statements of the hon. member for Lincoln. As the hon. member for North Simcoe is not a lawyer, our opinions will be somewhat on a par. I have listened to the best lawyers in this House for many years, and have heard this question discussed over and over again. The conclusion to which I have come is that once a work is declared to be a work for the general advantage of Canada, that cannot be altered; according to the decision of the Privy Council it remains a work for the general advantage of Canada, for all time. Perhaps we might pass a Bill repealing the whole charter, and the effect of that might be to discontinue this as a work for the general advantage of Canada, or for the advantage of any other country. But I cannot agree with the hon. member for North Simcoe when he says that, because the work of construction on this road has not gone on, therefore the charter has lapsed. To my mind, the charter continues until it is repealed by parliament. The power of construction may be lapsed, but the charter exists as before, and will continue to exist. I may say that that is one reason why I have raised objections to many of the charters we have dealt with respecting water rights and railway rights combined; while I felt that the railway rights would lapse by reason of non-performance of the work, the charter, so far as it affects water rights, would continue for ever, and might hamper people fifty or a hundred years hence, who would wish to use these water-powers. However, that is aside from the question. I wish to be particular on this point of jurisdiction, because on the next Bill on the order paper, I shall take the opposite view, perhaps, from that which I now express. I refer to the Bill relating to the Toronto Eastern Railway Company. I shall oppose that Bill.

Mr. LENNOX. It does not go through Halton.

Mr. HENDERSON. I know the hon. member (Mr. Lennox) is joking. He will give me credit for better sense than that. The Bill with which we are now dealing has to do with a company whose work has been declared a work for the general advantage of Canada. But the Toronto Eastern railway, to my mind, is a road that, under the British North America Act, comes exclusively under provincial jurisdiction. I know that the Minister of Railways has expressed in the Railway Committee a different opinion, or, at least, the chairman announced a different opinion as being that of the minister. However, I am perfectly willing to disagree with him. This road coming into Toronto from the east does not cross any provincial boundary, nor does it connect with any other road that will take the jurisdiction away from the province. It has not yet been declared a work for the general advantage of Canada. It has been argued here today that it was a mistake to make this Hamilton-Waterloo road a work for the general advantage of Canada. Let us not make the same mistake with regard to the Toronto Eastern. I shall oppose that charter distinctly on the ground that the jurisdiction does not lie in this House, but in the legislature at Toronto. But the position in the case of the Hamilton and Waterloo road is that years ago it was declared a work for the general advantage of Canada, and, therefore, comes here properly for amendments to its charter, we being the only legislature having jurisdiction in the matter. I am sorry that the hon. gentleman should have moved that the committee rise. That would kill the Bill, on which a great deal of time has been spent and which would give us a very useful road. It may be said that I am somewhat prejudiced because the road is intended to pass through the county I have the honour to represent.

Mr. LANCASTER. Are you any more prejudiced than Toronto?

Mr. HENDERSON. I am not prejudiced at all. I am willing to give Toronto all the rights to which it is entitled. I want to help that city. I want to send its people the best vegetables and fruit produced in the county of Halton. We are willing to give them the best we have, but do not want to be compelled to send it to them in the most expensive way. What do you think the fruit growers of the township of Nelson, county of Halton, are doing? Hon. members may not be aware of the fact that this road has been constructed from Hamilton to Oakville, some 20 miles, and we want it continued into Toronto. Well, fruit growers in the southern part of the township of Nelson have actually loaded their fruit on the Hamilton radial railway, shipped it into Hamilton, and then transferred it to the Grand Trunk railway, in order to have it conveyed into Toronto. That is a round about and very expensive way. Whereas, if we had this road continued to Toronto these goods would go straight from the place of production into that city.

Mr. GRAHAM. Hear, hear.

Mr. HENDERSON. I am not so much concerned about passengers as about freight

traffic, but strange to say, all the discussion has taken place with reference to passenger traffic. Passengers can get into Toronto by means of the Grand Trunk railway or Canadian Pacific railway; but what we are more concerned with is getting our fruit and vegetables and other perishable freight into Toronto without the necessity of transhipment. By means of the radial railway, we could get them into the city at every hour of the day. The people of Toronto want our fruit and vegetables, and it is just such impediments as we are striving to remove which bring about the increased cost of living. These people are hurting themselves by making it more expensive than necessary to have produce brought into their city. We can supply them with all these goods they want, so that the benefit would be mutual. Do not, therefore, compel this company to build its line in the most expensive way simply because the Toronto Street railway might possibly lose a few fares. They talk about protecting their city, but I think this Bill amply protects it. Why, when this company gets to the boundary line, it cannot take on another passenger, and it cannot take on a passenger in Toronto at the terminus and let him off at any place in the city. It can only take him from the central part of the city and dump him out after it gets him outside. To my mind the street railway is amply protected. True, the city of Toronto 20 years ago made a bargain, and undoubtedly a good bargain, and leased to the Toronto Street railway the right to use its streets for 30 years. Some ten years have yet to expire, and the city is bound to protect its covenants or be liable to damages. I am not sure but that the city may yet see the propriety of making an arrangement with the street railway, paying it a bonus to extinguish that franchise and give over the whole thing, and then deal more generously with other railways coming into the city. I question whether the city of Toronto would not be the gainer if it had more freedom to deal with new railways coming in, even at the loss of the $600,000 per year it now gets from the street railway company. I repeat that I regret very much the hon. gentleman should have moved that the committee rise. I am not going to vote to kill a Bill that I know would be of advantage to the people of my county, and which I believe will also be of advantage to the people of Toronto.

Mr. J. HAGGART. A few words on the interesting points raised in the discussion on this Bill. On the question of jurisdiction, from the facts stated here, primarily the local legislature ought to enjoy it, but we are unfortunately in the position that the Dominion government years ago granted a charter for this particular line. If the principle of law be as I understand it, once the Dominion government assumes jurisdiction, it cannot divest itself of that jurisdiction or vest it in the local government. My hon. friend from Grey (Mr. Sproule) will remember the argument used with reference to the School Bill, when the Dominion government was trying to vest in the local governments the jurisdiction vested in this parliament. Our argument was always that whatever power be vested in the Dominion parliament, that parliament cannot divest itself of. I think that the legal proposition is as clear as possible that if we pass an Act divesting ourselves of our power over this road, it will not reinvest it in the local government, and the local government cannot deal with it. Another nice question arises with reference to the duration of the life of a corporation. Several hon. gentlemen have argued that a corporation ceases if the conditions imposed by the charter are not complied with. We give a franchise to a company for the building of a road and it must be commenced within one year and finished within five. The argument is that if they did not commence operations within one year, the charter lapsed. The old opinion was that once you give an entity to a corporation it exists for ever. For a great many reasons it ought to be so. A corporation might incur liabilities, and if the corporation terminated with its failure to carry out its undertaking, you could not sue it or collect debt from it. The old principle is that once you give a corporation its entity, it exists for ever. I do not know anything about the merits of this road, but the question as raised by my hon. friend from South Toronto (Mr. Macdonell) is as to the proprietary right of the city of Toronto in all their local undertakings. I think they ought to have such a right for the benefit of the country, but it is a monstrous thing to say that we are precluded from giving a charter to a particular company because its railway ends in Toronto unless the company get the consent of the city to enter within its limits. If it invades any municipal rights let us make other provision for it. I think the Railway Act does make provision for such a case. The Railway Commission have power to impose such conditions as will fully guard every interest in the city of Toronto.

Mr. SPROULE. I would like to say one word in reference to what has been said by the hon. member for Lanark (Mr. Haggart) with regard to the question of rights that we take in this parliament. My understanding of the British North America Act is that we cannot divest ourselves of any rights which are given to us and we cannot give to the province any rights other than what they enjoy under the provisions of that Act. But, I think we might claim rights that we would not be upheld in if

we went to the courts. We might assume rights and the courts might decide that we did not have those rights. I do not think we can claim a right because we assume it. I remember one time hearing the late Sir Oliver Mowat say: If I am in doubt as to whether we have the right to do a thing I go on, take authority under the law to do it, and let the courts decide whether we have the right or not. It is a kind of confiscation, but I do not think that taking a right would give us the right if the British North America Act did not in reality give it to us, and that we would be sustained by the courts.

Mr. LANCASTER. The Privy Council have already decided the very opposite of the hon. gentleman's contention.

Mr. SPROULE. I would like to ask the hon. member who has the Bill in charge if the corporation, if this Act went through, could operate its road by any other power than electricity.

Mr. HARRIS. As I understand, it could not.

Mr. SPROULE. Well, I think the hon. member is right in that, because I do not see anything in the first Act which says it shall and in the second Act there is nothing at all said about it. In the Act of 1908 there is the following clause:

Section 10 of chapter 106 of the statutes of 1906, intituled, an Act to incorporate the Hamilton, Waterloo and Guelph Railway Company, is hereby amended by substituting for the word 'thousand' in the second line thereof, the words 'seven thousand five hundred.'

That is only enlarging its borrowing powers, and it is the only thing that is in the Act; therefore there is nothing in the amending Act that would give it power nor is there anything in the Act which was originally passed. These would seem strong additional reasons why this company should be under the control of the local legislature. The original Act says:

The company and its undertaking, shall be subject to such provisions of any general Act now or hereafter passed by the legislature of the province of Ontario as provide, in the interests of public health or safety, for the control and regulation of the transmission, distribution or supply of electricity in any form.

I do not know how it could carry out that portion of its charter with the declaration that this is a work for the general advantage of Canada. I do not see how it can be placed under the provisions of that Act and yet refrain from being under the control of the legislative assembly.

Mr. MACDONELL. I wish to say a word with reference to the view put forward by the hon. member for Lanark (Mr. Haggart). Of course, he is familiar with the Railway Act, and I do not suppose that he has overlooked the section to which I wish to call his attention. This charter which was granted four years ago has not been renewal since, although an Act was obtained to amend the original Act for the purpose of giving the company additional bonding powers. Section 150 of the Railway Act says:

If the construction of the railway is not commenced and fifteen per centum of the amount of the capital stock is not expended thereon within two years after the passing of the Act authorizing the construction of the railway, or if the railway is not finished and put in operation within five years from the passing of such Act, then the powers granted by such Act, or by this Act, shall cease and be null and void as respects so much of the railway as then remains uncompleted.

The conditions of that section have not been fulfilled. Four years have gone and the railway has not expended 15 per cent of its capital upon the work. I do not say that the company has expired, but I say that the construction cannot be proceeded with under the charter. That is proved by the power that is sought by section 6 of the Bill now before the committee, in which the company asks that the time be extended during which it can do this work.

Mr. J. HAGGART. I stated that while the power of doing what the Act authorized the corporation to do ceases, it does not affect the corporation.

Mr. MACDONELL. It affects the question of their power to proceed.

Amendment (Mr. Macdonell) negatived, and Bill reported.

TORONTO EASTERN RAILWAY.

House in committee on Bill (No. 116), to incorporate the Toronto Eastern Railway Company.—Mr. Fowke.

Mr. J. A. CURRIE. As the promoter of this Bill is not here, and as there will be a fight on it, I would suggest that the Bill be laid over. I therefore move that the committee rise, report progress, and ask leave to sit again.

Mr. HUGHES. I think the House is ready to go on with the Bill.

Mr. J. A. CURRIE. I do not think so. The custom of the House is that if the member in charge of a Bill is not here to look after it, and if it is a contentious Bill, it invariably goes over.

Mr. GRAHAM. I think there is no particular reason why we should not go on with the Bill, unless the powers of discussion have not been exhausted by the Hamilton and Guelph bill. I understood that the discussion was to take place on one or other of these Bills.

Mr. J. A. CURRIE. The hon. member does not want an all-night fight, does he?

Mr. GRAHAM. The hon. gentleman should not make that remark. A threat of that kind does not influence me one iota —I am a sort of night hawk myself. That is really not the intelligent way to approach a question of this kind. We want to go on with the business, but if there is a strong objection on the part of hon. members to going on in the absence of the promotor, we might let the Bill stand over.

Mr. HUGHES. The Bill is just the same as the other Bill. Why not put it through? These gentlemen are only bluffing.

Mr. GRAHAM. We are getting near the end of the session, but if every time a contentious Bill comes up hon. gentlemen ask that this be put off, we shall make very little progress. Let us go at it and dispose of it, unless a number of hon. gentlemen wish it to be put off. I am not pressing for one thing or the other, but I appeal to hon. gentlemen whether anything is gained by side-stepping the question.

Mr. HENDERSON. I have taken objection to going on with a private Bill when the promoter is not present. As the minister says, however, we are getting near the end of the session, and we should not stop legislation for a reason of that kind, although it is a very good one. I intend to oppose this Bill, but I would rather oppose it when the promoter is present, and therefore, it would suit me just as well if the Bill were laid over until he can be here.

Mr. GRAHAM. Would it be a fair arrangement to leave the Bill on the order paper where it is, and let it stand until the hon. member in charge of it is here ? I want to do everything to expedite the business of the House.

Mr. HENDERSON. No doubt the hon. gentleman will be here to-morrow, when after eight o'clock there will be an hour for private Bills.

Mr. J. A. CURRIE. There is no reason why we should not clear the order paper to-day of all the Bills except contentious Bills, and let them stand over. The business of the House has been much delayed by these contentious Bills, and if under the Rules of the House these were put automatically at the bottom of the list, or the rule of the British parliament were followed, and members balloted for the place a Bill occupied on the order paper at the beginning of the session, the business of the House would be expedited.

Mr. HUGHES. I would certainly object to this Bill being held over in order to let any other Bill take precedence of it. If there were any valid objection to this Bill, I would be found fighting against it; but I cannot understand why one gentleman supports one Bill and opposes another of the same character.

Mr. HENDERSON. Had the hon. gentleman been in his place while we were putting through the other Bill he would have understood my reasons for supporting one and opposing the other. I am satisfied the premier quite understands it.

Sir WILFRID LAURIER. I do.

Mr. HENDERSON. I think my hon. friend should withdraw the charge that I am inconsistent in supporting one and opposing the other. My grounds were well taken and are based on the British North America Act, and I am prepared to stand by the British North America Act, let the hon. gentleman diverge from it just as much as he likes to suit his convenience. I am going to stand by the constitution.

Mr. HUGHES. I did not hear the latest excuse that the hon. gentleman gives for supporting one and opposing the other, I am simply taking the case he gave in the Railway Committee that it runs through his county.

Mr. HENDERSON. The hon. gentleman has no right to make that statement. Would parliamentary language permit it, I would say it was not true. The hon. gentleman did not hear that. Mr. Fowke, the hon. gentleman who is promoting the Bill now under discussion, threw out an insinuation that that was why I was opposnig it, and I immediately rose and repudiated the insinuation. I do remember some years ago stating that I was in favour of that Bill because it was for the general advantage of Halton. That is what I am here for. I am here to support legislation that is for the general advantage of Halton, and legislation in accordance with the constitution of the country, and I am opposed to legislation not in accordance with the constitution. The Hamilton Radial Bill is under Dominion jurisdiction and this Bill, to my mind, comes exclusively and entirely within provincial jurisdiction.

Mr. MACDONELL. This Bill is going to be contested, and I think the rest of the time available for private Bills will be consumed in its discusson. I do not think it wise or fair that the minister should proceed with the Bill in the absence of the promoter.

Mr. HUGHES. Then the whole question of private Bills should be set aside for

to-day, and some other business should be taken up because it would be a simple matter for gentlemen opposing the Bill to say that this should stand over and make it contentious to the end of the session. There should be no giving way unless the whole private Bill order is set aside for the day.

Mr. J. A. CURRIE. I think it is unfair that the House should be clubbed because this Bill happens to have a certain position on the order paper. There is other important legislation on the order paper and when a Bill is contentious the word of the Prime Minister is sufficient to make it stand over. To-day in his absence the Minister of Railways should have said it should stand. I cannot see why the hon. member should blame the hon. member for Halton for supporting one Bill and opposing another, because one railway goes through his riding. I cannot see why the hon. member for Victoria (Mr. Hughes) interferes with railways in other people's constituencies. Neither of these railways touches his riding. The Prime Minister will recognize that necessity knows no law in this matter; this Bill is going to be fought and it is as well that the member who has it in charge should be here.

Mr. GRAHAM. After hearing the discussion my opinion is that this Bill is going to be fought for quitte a long while. If we are to close the session as proposed we have very little more time to discuss these Bills. If it is to be discussed why not go on and have the discussion. I think on the whole, in the interest of every one we might as well hear the arguments because we will hear no arguments on Thursday or Friday, so we had better go on with the Bill.

Mr. S. SHARPE. In the absence of the promoter, who would accede to any amendments?

Mr. HUGHES. The member came to me and some others, and he asked me to look after the Bill in his absence, and I am prepared to do so.

On section 1, incorporation.

Mr. MACDONELL. I have to object to this Bill. Some of my objections are covered by those urged to the last Bill, and there are further arguments against it. The Bill in the first place does not pretend to qualify itself, so to speak, for appearance in this House under the constitution of the country. The railway is admittedly an electric railway, running between three or four counties, and not going anywhere within 100 miles of the limits of the province. The Bill in that aspect of the case is entirely a provincial Bill, entirely an inter-county or interurban Bill.

Mr. HUGHES.

Mr. GRAHAM. The hon. gentleman said this railway did not run within 100 miles of the border of the province?

Mr. MACDONELL. Yes.

Mr. GRAHAM. It runs to the lake shore.

Mr. MACDONELL. Yes, and the American shore is 60 miles across, and the Minister of Railways might have some good ground for correcting me if the railway were to be constructed across the lake, which, of course, is impossible. There is no justification whatever for the presence of this Bill in this parliament. As originally drafted the Bill simply provided for the building of this railway to the limits of Toronto, but during its progress through the committee it thought it would like to get the same powers as had been given to the Hamilton, Waterloo and Berlin railway, and so the Bill was amended in that respect. In the case of the latter Bill, certain hon. gentlemen took the view that its prior incorporation by this parliament gave it a federal status which ought to be maintained, but the present railway has not even that excuse for seeking a federal charter. It was entirely an afterthought that this company asked for power to operate in the city of Toronto, and the provision to that effect was inserted in the Railway Committee. When the Bill met with opposition in the Railway Committee the promoters sought to give the railway an international character by stating that it was the intention of the company to run a ferry service across the lake, so as to connect with the New York roads, but in the Bill itself there is no right given to run any such ferry. That also was an afterthought.

Mr. HUGHES. How can you tell that?

Mr. MACDONELL. There is no difficulty in telling that, because if it were the original intention of the company to operate a ferry it is reasonable to suppose that the promoters would have asked for that power. They might as well have left out reference to the Victoria-Haliburton branch, and then said afterwards that they desired to have it inserted. Why should the parliament of Canada give a franchise to anybody that asks for one. Why should this railway company be given running rights through the city of Toronto in face of the opposition of that city? Why should this parliament give to railway companies rights derogatory to the municipalities in the opinion of those who govern these municipalities. When the former Bill came before the Railway Committee the province of Ontario was represented by counsel, and in the name of the premier and on behalf of the government he contended

that this was purely a local undertaking, and he asked that this parliament should send the company back to the legislature of Ontario. The voice of the government of Ontario was heard, and it should have been listened to, and this company should not have been, in open defiance of the British North America Act, declared to be for the general advantage of Canada. Years ago it was an easy thing to have a work declared for the general advantage of Canada. It was given almost for the asking. But the right was not then regarded as of very great importance—certainly, not of the importance attached to it now. The people now are declaring against the improper use of this phrase, and are demanding that 'a work for the general advantage of Canada' must be a work for the general advantage of Canada, or otherwise it is not to be so declared. I say, without fear of contradiction, that there is nothing in the British North America Act that justifies this railway in coming here; on the contrary there is everything in that Act to make it clear that it should go to the provincial authority of Ontario. If certain little railways are to be granted this right of being made Dominion roads by the mere exercise of our power, let us take down the bars altogether, and accord this privilege to anybody that comes here to ask for a railway charter, whether for an electric railway or any other. In that case, of course, provincial railway legislation, and the provincial railway commissions are useless. We ought to be consistent; there ought to be a line drawn somewhere; and if the line is to be drawn at all it will exclude such companies as this from coming to this parliament. For there can be no argument that I can see in support of these people coming here. I do not want to repeat what I tried to say on the Bill which preceded this, but I say that under section 8 of the Railway Act this railway has ample rights and powers to get the full benefit of the Railway Act of Canada. There is a reason for the company coming to this parliament—there is no disguising that fact. That reason has been stated on the floor of this House on previous Bills, and the reason is that a railway whose charter is got from the Dominion of Canada is more easily financed. I believe that to be the fact, and I believe that to be the reason why the railways come here. But what does that mean? It means that the obligations imposed upon railway corporations under the Railway Act of the province of Ontario are more onerous than those imposed by the Dominion Railway Act. For instance, there is the regulation as to fares, which, as I pointed out, in regard to the other Bill, oblige all railways incorporated by the Ontario authority to give cheap fares, special fares to children, and to pupils attending school, and so on. Also, they are obliged to give protection to their motormen, and other workmen, give them certain periods of rest, choose them by examination which will assure their qualification for the work they are to do. Surely, these are public safeguards that the government of Canada should give heed to. But, in the case of a Dominion railway, the public have not the same safeguards. I submit, then, that the time has arrrived when the parliament of Canada shall decide whether the railways shall be favoured, or whether the people shall receive justice. Is this parliament to be guided by considerations of the benefit of corporations, or is the public to be considered, and due restrictions to be imposed? We seem to be clearly at the parting of the ways, and it is for this committee, and this House to decide upon its course. This railway company comes to this parliament because under our law the public will be left without certain protection that they would have if the charter were given by the province of Ontario. It seems to me that this is a fair way to put it, and that the position is unanswerable.

Much was made of the plea that the Railway Commission was the proper tribunal for the hearing of railway questions generally. But they have a railway commission in Ontario. We must assume that that commission will do its duty; we must assume that the province has appointed properly qualified commissioners who have due authority, and will exercise that authority for the public good. We find that very little attention is now paid to the cry of provincial rights. There was a time when conditions were different. I can well recollect the time, before the change of government in the province of Ontario, when my hon. friend the Minister of Railways (Mr. Graham) was in the Ontario legislature. I believe the hon. minister was a member of that body in 1903.

Mr. GRAHAM. He was.

Mr. MACDONELL. The Liberal government of the province of that day objected, as its successor has objected since, to the parliament of Canada dealing with these railway matters, and many other matters that come properly within the area of provincial jurisdiction. Perhaps the hon. minister (Mr. Graham) recollects a certain resolution passed in that House during the session of 1903. The provincial government became so impressed with the necessity of protecting provincial rights that they formulated a resolution, and sent it to Ottawa, protesting against further encroachment by this parliament upon the provincial domain. That resolution will be found in the journals of the Legislative Assembly of Ontario for 1903,

page 329. It was moved by Mr. Pattullo, seconded by Mr. Bowman—both ardent supporters of hon. gentlemen opposite—and resolved:

That this House protests against the tendency of late years on the part of the Dominion parliament in the matter of legislation whereby companies are being incorporated by special Acts, though such companies have purely provincial objects and come within the purview of subsections 11 and 16 of the British North America Act.

That the expedient which it has become customary to adopt of inserting in Bills the mere assertion 'that the works of the company being incorporated are declared to be for the general advantage of Canada,' afford no reasonable protection against encroachments upon provincial jurisdiction, the Bills being entertained and classed apparently in ordinary routine and without reference to any serious consideration of the question of jurisdiction.

That there is involved in this growing tendency toward encroachment on the provincial field of legislation and invasion of the rights of municipalities, which this House regards as of serious importance.

That the provincial laws relating to electric railways have been designed to safeguard in many respects the rights and interests of the municipalities through which these railways run or are chartered to be constructed, and the protection to municipalities thus afforded will be prejudicially affected, if not entirely removed, by the assumption and exercise of the right to legislate regarding these local railways on the part of the Dominion parliament.

This House, therefore, respectfully urges the Dominion parliament not to pass legislation of this nature pertaining to matters heretofore generally understood to be within provincial jurisdiction, and which, in their nature, are matters of purely local concern.

If that resolution had been drawn yesterday as a protest against this particular Act, it could not have been couched in more appropriate and pertinent language. That request was made by friends of hon. gentlemen opposite, and there it stands as true as when committed to print. If anything further were needed to emphasize the propriety and urgency of the resolution, I have quoted, it is what has taken place since. Time and again since then, this principle has been violated with the result that the province of Ontario has again and again sent down its duly accredited representatives to this House to protest against the improper use of this term in cases of this kind. In this very case the Ontario government felt it incumbent to make this protest and sent its representatives here for that purpose.

At six o'clock, Committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. MACDONELL. When this Bill was before the committee much stress was laid upon the fact that the incorporators of the company were men of means, substance and position in the locality. With that statement I entirely agree; I have nothing whatever but good words to say of the applicants for incorporation in regard to their status in the community. But, I submit with all diffidence that because that fact exists it is no reason why this House should grant these gentlemen incorporation in a case where it would not be proper to grant it to other people. The promoter of the Bill made the statement, I think, that any one of these gentlemen could build this road as easily as he could take his breakfast.

Mr. HUGHES. 'Some' of them.

Mr. MACDONELL. There is very little difference between 'any' and 'some,' I think I am right in the statement I make all the same; however, I will accept 'some' of them.

Mr. HENDERSON. Put it 'most' of them, and you will be about right.

Mr. MACDONELL. 'Most' of them. If that be so, if these people are of that calibre, if they are bona fide in their intention to prosecute this work, why should they object to curtailing the provision in this Bill permitting them to amalgamate with the Canadian Pacific railway, or Grand Trunk railway, the Oshawa Railway Company, the Canadian Northern Ontario Railway Company, or any of them? I protested in the committee against these powers of amalgamation with these powerful railway organizations, and I did so because this company, which is now seeking incorporation, is supposed to operate a purely electric railway of practically a local nature running between these counties—an inter-county railway operated by electricity. If these parties are of the calibre that they are said to be, and I quite agree that those whom I know are men of means, and if they are going to build this road, then why need they be given such broad powers of amalgamation? These various railway companies that this company is given power to amalgamate with are to-day in the city of Toronto. They all have their rights of way to that city, they all have whatever terminal facilities they require, and why should they be given this duplicate entrance into the city with certain powers, that, I submit, should not be given to them at all? That position was not met. There was no statement made as to why this railway sought power to form this amalgamation. I object to this amalgamation upon the ground that a small railway company of this nature is given certain powers, and privileges that I submit would not be given to a large railway corporation. Just because it looks to me like a small undertak-

ing, and because it is apparently going to carry passenger traffic it is given certain powers. If this company amalgamates with and merges into one of the big railway companies, then one of these big railway corporations will have all the powers that this company has got under this Bill if it passes. I submit that this is not along the lines of prior legislation in this House. It would be an objectionable measure upon that ground. That contention was not in any way met. This company has, at the eleventh hour, sought and received from the Railway Committee power to enter, and operate in the city of Toronto. If a railway is building throughout the west, through the most unsettled part of that country, or in any agricultural or rural district, before the company comes down to Ottawa and appears before the Railway Committee it must be properly equipped with plans, and surveys showing its route. If that be so in the case of a rural district, I ask how much more should it be a requisite when a railway company proposes to enter a thickly populated, and large metropolitan city of the size of Toronto. Is there going to be one rule for certain applicants for railway charters, and a different rule for certain other applicants? It looks very much as if that is to be the case. The hon. gentleman who promotes this Bill came here without any idea of having a local service in Toronto, and because he saw that a local service was being given to the Hamilton, Waterloo and Berlin railway he, forsooth, thinks it very desirable to have, asks for it, and without either plan or route, or without showing how he is going, whether with a service underground or overhead, he is given this roving power to go at will through the city of Toronto from the eastern limit to a central station and even the central station is not mentioned. No location is fixed, no location is suggested. I do not think it is a proper way to treat this committee, or the House, or the locality in which it is proposed to operate in this blanket way. This railway is simply given blanket powers to enter the city of Toronto at will where it likes, and in the manner it likes without any limitation.

Mr. GRAHAM. Is it not a fact that they cannot enter the city of Toronto unless they first get the approval of the engineer of the city, and if they cannot make an agreement, until they get the permission of a board of engineers? They cannot go in as they like, and they cannot locate a foot of this railway until the Minister of Railways approves of it, and they cannot go into the city until the Board of Railway Commissioners approve of it.

Mr. HUGHES. He knows all that.

Mr. MACDONELL. I resent with emphasis the unfair statement of the hon. gentleman (Mr. Hughes). He has made an unfair statement. He insinuates that I am making an argument that I do not believe in, and that is not sincere, and I ask him to withdraw the insinuation.

Mr. HUGHES. I reiterate with tenfold force what I said that if the hon. gentleman knows anything, he knows that everything he has stated here is not in accordance with the facts as stated in the Bill.

Mr. MACDONELL. I ask the hon. gentleman to withdraw the statement.

Mr. HUGHES. I will make it again.

Mr. MACDONELL. You will?

Mr. DEPUTY SPEAKER. It is a well known rule that every hon. gentleman in this House shall be credited with sincerity in anything that he says.

Mr. HUGHES. I did not doubt his sincerity.

Mr. DEPUTY SPEAKER. If the hon. gentleman does not cast any doubt on the sincerity of the hon. member for South Toronto, then there is no question of order.

Mr. HUGHES. What I say is this, and I repeat it, that the statement which the hon. gentleman made, that this road enters Toronto at its own sweet will, without any control, is absolutely contrary to the fact, and he knows it, because he fought it out in the committee.

Mr. MACDONELL. I ask you, Mr. Chairman, to compel the hon. gentleman to withdraw that statement, that I made a statement that was untrue to my knowledge.

Mr. DEPUTY SPEAKER. It is quite true, the rule prevents an hon. member from indicating that another hon. member has stated anything which he knows to be untrue. I have not gathered that meaning from the remarks of the hon. member for Victoria and Haliburton. It seems to me to be really more a dispute as to certain facts than any denial of an intention on the part of the hon. member for South Toronto to give the facts as he sees them.

Mr. MACDONELL. I am simply taking the point of order on the words of the hon. member, who said that I had made a statement which was not true to my knowledge. That is unparliamentary and inaccurate, and I ask that it be withdrawn.

Mr. DEPUTY SPEAKER. The statement put in the form in which the hon. member for Toronto puts it would be out of order, but I did not gather it in that form.

Mr. MACDONELL. Then, I will continue where I was interrupted. It is quite true, as the Minister of Railways pointed

out, that ultimately these matters come before the Railway Commission; but I repeat, that as the Bill stands, there is no route map, or plans of survey, or anything else to show how this railway is going into the city of Toronto. There is nothing to show whether it will be a surface railway, expropriating its right of way, or a tube system, or an elevated railway. Later on, when the company commences its operations, it will, of course, have to file its maps and plans with the Railway Commission, or the Minister of Railways, or both. But that is not the point I am making. The point is that this application came before the Railway Committee without a plan or map or anything to indicate where the railway was going or the manner in which it was to be operated, or how it was going to enter the city of Toronto. In this connection, I desire to say that the city of Toronto is about to undertake the construction of a tube system. It has had from the Ontario legislature this year the necessary legislation for that purpose, and on the first of last January a vote of the citizens was taken as to whether or not the city should engage in this tube system, and the citizens, by a very large majority, approved of the idea, and authorized the city council to obtain the necessary legislation. This railway may come into direct competition with that system should the city build it, as we do not yet know what method of construction the company will adopt. The conditions which exist in Toronto will probably arise in Montreal and other cities in the near future, and their rights will be invaded in the same manner. The hon. member for Lincoln (Mr. Lancaster) said this afternoon that Toronto has no more rights than St. Catharines or Woodstock. In the abstract that is true. But St. Catharines has a population of 10,000 or 12,000, while Toronto has 400,000. Who will say that the conditions of the two places are not different? If this railway is allowed to have this charter and enter the city from the east, before it reaches the point where the central station will be located, it will have to cross between 40 and 50 highways. This Bill authorizes the company to build over or under the highways without the consent of the city. It was said in the committee that Toronto was given the privilege of prohibiting its entrance on the level. It would be an act of vandalism to allow this railway to cross 40 or 50 streets of the city on the level. The hon. member for Lincoln, who has almost gone mad on level crossings, was ready in years gone by to prevent a railway crossing on the level in cities or towns without the consent of the city or town. I am not talking of Toronto being better than any other place of the same size; but every large city has similar conditions in this respect. Under these 40 or 50 streets we have sewers, water and gas pipes, electric conduits and various means of transporting the things which a large city requires for its municipal life, and this railway company might sever all these arteries. I think that ought to be taken into consideration. These are very different conditions from those that prevail in a small place.

In the central districts of Toronto the streets are honey-combed underground with water and gas mains and telephone and telegraph wires, and the policy is to extend these systems underground so that the conditions in a large city like Toronto are entirely different from the conditions underneath the streets in a small town or municipality. I do not desire to delay the committee. I simply desire to point out that this company has come to the wrong forum to obtain its powers. I defy any hon. member in this House to show that this application is properly here as a matter of constitutional right. They are here on grounds of expediency. Perhaps the company would have greater facilities because of its being floated with the imprimatur of a work being for the general advantage of Canada stamped upon its face, but the chief object is to free them from provincial control. Chartered by this parliament they are free from the obligations to the public imposed by the provincial Act. They are free from the low fares to those attending schools and colleges; they are free from the obligations regarding motormen and conductors, in their qualifications for the proper discharge of their duties; they are free from the protection afforded these men by the provincial Act as to their hours of labour and so forth. In 50 different ways the obligations imposed upon railways by the Ontario Act of 1906, on railways of this kind and breed, in favour of the municipalities, are to be brushed aside because this parliament chooses to say without any show of reason whatever that this is a work for the general advantage of Canada. The million people in the districts through which this railway will operate are relegated to the background, and the question is to be looked upon by this parliament in the light of what is best for the company and not what is best for the people. If ever the House is going to repudiate the chartering of these suburban railways this is the time. Let this company be subject to all the obligations and penalties that like railways operating in the same district are subject to under the provincial Act. This company has no status before this parliament, and no reason can be given for this application in the public interest.

Mr. HUGHES. If the iteration of the hon. gentleman (Mr. Macdonell) that he thinks so and so where the British North America Act does not say so, I have no hesitation in saying that he has made out a very good case, but, unfortunately for him we have had just such railway charters passed by this House for a great many years. I received my political training under Sir John A. Macdonald, Sir John Abbott——

Mr. MACDONELL. You did not profit much by it.

Mr. HUGHES. It will compare favourably with that of the member for Toronto (Mr. Macdonell) I say that without hesitation.

Mr. MACDONELL. You say lots of things without hesitation.

Mr. HUGHES. I had my training I say under Sir John A. Macdonald, Sir John Abbott, Sir John Thompson, Sir Mackenzie Bowell and Sir Charles Tupper, and I shall read to the House a few of the names of the railway charters which were passed by this House when they were leaders, and which, by so doing, according to the logic of my hon. friend (Mr. Macdonell) parliament tore the British North America Act into shreds. Here are the names of a few purely provincial corporations that were incorporated in one year under the Conservative government: The Calgary Street railway, the Chilliwack Railway Company, British Columbia; the Columbia and Kootenay Railway Company, British Columbia; the Drummond County railway, province of Quebec; the London and Port Stanley railway, the Nakusp and Slocan railway; the Nelson and Fort Sheppard railway, British Columbia; the Western Counties Railway Company, Nova Scotia (a little one horse inter-county railway). These were passed in the old Conservative days and according to my hon. friend (Mr. Macdonell) the constitution was smashed. Then there was also the Yarmouth and Annapolis railway. Now, in another year there were incorporated by the Dominion parliament the following provincial railways: The Windsor and Annapolis railway, the Trail Creek and Columbia railway, the South Shore Railway Company; the Shore Line Railway Company, New Brunswick; the Temiscouata railway, the St. Catharines and Niagara Railway Company (later on it became an international road); the Red Mountain Railway Company——

Mr. J. A. CURRIE. That is international.

Mr. HUGHES. As a matter of fact the road was never built. The Quebec, Montmorency and Charlevois Railway Company, the Oshawa Railway Company (a little street railway running from the wharf up to the town). The Manitoba and South Eastern Railway Company, the Lindsay, Haliburton and Mattawa Railway Company (a purely inter-county railway), the James Bay Railway Company, the Brant and Southwestern Railway Company, the Cariboo Railway Company, the Cobourg, Northumberland and Pacific Railway Company, the Dominion Atlantic Railway Company, the Edmonton Street Railway Company, the Erie and Huron Railway Company, the Gleichen, Beaver Lake and Alberta Railway Company, the Guelph Junction Railway Company and many others obtained their charters here, and so it is in any year you choose, you will find any number of similar companies provincial in their character, obtaining their charters from this parliament. The examples I have cited were all under Conservative administration. Section 92 subsection 10—constitution of the British North America Act assigns to the Dominion of Canada——

> Such works as, although wholly situate within the province, are before or after their execution declared by the parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.

There are many arguments in favour of all railways that purchase their own rights of way that run on a standard gauge no matter what the motive power may be, coming under Dominion jurisdiction. There should be for all such railways the same signals, the same rules, the same system of lighting and regulations, the same means of guarding the public. These should be uniform throughout Canada, and they can only be made uniform by having these roads declared for the general advantage of Canada.

I have taken pains to ascertain the feeling of the business men of Toronto since this obstruction has been going on in connection with the council or a few members of the council. I do not know whether they are all aspiring for public positions or further promotion, but I find that the leading business men outside of what you may call the little municipal gentlemen are anxious to have all the roads enter that city they can get. They know what built up that city in the early days, they know it was the railways and they are anxious to have them there and they deplore the conduct of the council and representatives of that city in coming here to obstruct the Bill. They thought at first there was a desire on the part of the railway to run on the streets of the city, but when they found that was forbidden and that the road could not enter the city without first obtaining an agreement with the city engineer and then have

it come before the Dominion Board of Railway Commissioners, and that whether the Railway Commissioners approved or otherwise the company could not run along any street in Toronto without the permission of the board and the city, that they merely had the right of crossing the streets by overhead or underground crossings, and they must purchase the right of way. The council of the city of Toronto accepted the clause in this Bill and the other Bill as satisfactory to them.

Mr. MACDONELL. I rise to a point of order. The hon. gentleman is stating something that is not correct, is not true; the city of Toronto did not accept them.

Mr. DEPUTY SPEAKER. That would not constitute a point of order.

Mr. MACDONELL. I contradict the hon. gentleman; I will not allow him to make a statement that is not correct.

Mr. HUGHES. I was present in the committee when the mayor and council agreed with the hon. member for Brant (Mr. Harris) on the clause that is in this Bill today. I appeal to the hon. member for Brant if the municipal representatives of Toronto did not accept the agreement about the entrance of the other railway into the city of Toronto on the same conditions as are here——

Mr. MACDONELL. I rise to state the facts.

Mr. HUGHES. I object to the hon. member taking the floor.

Mr. DEPUTY SPEAKER. The hon. gentleman can only interfere with the consent of the hon. gentleman who has the floor.

Mr. HUGHES. I will read the clause:

> Unless with the consent of the city of Toronto, expressed by by-law, the railway of the company shall not be constructed upon or along any highway, as defined in the Railway Act, or easement acquired for public works in the said city east of Roncesvalles avenue, nor shall the railway of the company be constructed under, over or across any such highway or easement unless the plans and specifications thereof are approved by the engineer for the time being of the said city, or such engineer as may be appointed for that purpose, and the engineer for the time being of the company, and in the event of the said engineers failing to agree, by the Board of Railway Commissioners for Canada.

Clauses 9 and 10 about carrying passengers in the city, I understand, are also similar in the other Bill. Did not the mayor of Toronto or some representative of the city of Toronto agree to those clauses in the other Bill?

Mr. HARRIS. I think that the member for Centre Toronto (Mr. Bristol) drafted that clause himself, and it was accepted by the sub-committee.

Mr. HUGHES.

Mr. MACDONELL. The hon. gentleman thinks.

Mr. HUGHES. Then I am stronger in my position that these clauses were accepted by the representative of Toronto, and the understanding I had was that these Bills would go through unopposed. The city of Toronto is properly guarded, no one of these railways can run along the streets without the absolute authority of the city. The Board of Railway Commissioners has not the option of saying whether it shall or not. It is the city of Toronto alone that can say whether the railway shall run along its streets or not. No greater protection can be afforded the city than is afforded by these measures. Several of the prominent business men of Toronto with whom I have conversed are very much opposed to any further or any factious opposition to these Bills, they want all the business they can get there. These are the men on whom the interests of the city depend and not alone the men in the council. Why do the city aldermen appeal for these restrictions? Look at Pittsburg today—a hundred aldermen indicted for boodling. Why should we place a railway entering the city of Toronto at the beck and nod of the aldermen there? Ought we not to protect the interests of the city? I contend that the Railway Commissioners of Canada should be the arbitrators in case the engineer of the city and the engineer of the railway fail to agree. The enterprise will be destroyed if left to the beck and nod of aldermen elected by fire-hall influence or anything else.

Mr. J. A. CURRIE. The inference drawn from the remarks of the hon. member will be that he intends a comparison between the hundred boodling aldermen of Pittsburg and the aldermen of Toronto, and it seems to me, that requires a little modification. I think the hon. gentleman (Mr. Hughes) should be a little guarded in his remarks. There are many honourable men in the aldermanic body of the city of Toronto, and I do not think that the hon. member's way of speaking of them is fair.

Mr. HUGHES. I am obliged to the hon. member (Mr. J. A. Currie). But Toronto has fallen before and may fall again. Now, the hon. member for South Toronto (Mr. Macdonell) objected to the powers of amalgamation given this road. Why, the Grand Trunk and the Canadian Pacific railway each have had power to amalgamate with other roads. The Grand Trunk has amalgamated with the Northern, with the Nipissing and with the Midland, and the Canadian Pacific railway has amalgamated with half a dozen roads around Toronto, and why should they be forbidden to amalgamate with this road or it with them? Why should this road be singled out for different treatment from that accorded to

others? I have already given instances to show that, for generations back, this parliament, under Conservative or under Liberal rule, has passed, not one, but scores of charters for small railway companies. And the constitution of Canada is still intact. I must say that I could not understand the language of the hon. member when he told us that no plan of this road had been submitted. Why, there was a plan on the wall of the committee room which was referred to by the promoter of this Bill. That plan showed this road, its branches and terminals, all in detail. I wish to say, Sir, that the name of William Cowan standing at the head of this Bill—a man who practically owns two of the best banks of the Dominion of Canada—is of itself a guarantee that this Bill is worthy the best attention and consideration of the people of Canada and of this House of Commons.

Another very serious objection urged by the hon. member for South Toronto (Mr. Macdonell) was that there was no control over the rates for school children. Let me tell him that every morning children by the dozen travel on the Grand Trunk from points near Toronto, practically for nothing. Children travel to the Markham high school from both sides of that town. They get tickets at a rate so marvellously low—I think it is half a cent a mile, but I am not sure—that it is cheaper than walking would be. And, wherever they are wanted and wherever the trains run, suitable rates are made for school children. After the amendment of the hon. member for Centre Toronto (Mr. Bristol) which, certainly was made with the consent of the mayor and the council added to the other Bill and to be added to this one. I must express myself as astonished at the opposition engendered to these measures.

Mr. HENDERSON. My opposition to this Bill is simply on the point of jurisdiction. I contend that this company should have gone to the province of Ontario to seek a charter, as provided under the British North America Act. The hon. member for Victoria and Haliburton (Mr. Hughes) disagrees with that contention. I am not going to try to convince him any more than he need try to convince me that I am wrong. I will draw attention, however, to the statements which the hon. gentleman made with regard to the charters that were granted during the regime of the Conservative party to companies whose works were declared to be for the general advantage of Canada. It was quite impossible for one to follow the list as the hon. member read it. But I remember that he commenced by mentioning the Calgary street railway, and then referred to the Edmonton street railway, and to the Red Deer Valley road. Of course, he could name all the railways in the Northwest that had received charters up to the year 1905, and say they were all obtained from this parliament, and that would be quite true.

Mr. HUGHES. How about the Guelph Junction, in your own county?

Mr. HENDERSON. I remember very well that I had charge of an amendment to that Bill. It was a Bill to authorize the construction of a railway from the main line of the Canadian Pacific railway to the city of Guelph. But I was speaking on these roads in the Northwest. Where else could they have got their charter before legislatures were established in the western provinces?

Mr. HUGHES. I only named four.

Mr. HENDERSON. I could not pretend to say how many the hon. member mentioned. But the names of those I do recall lead me to believe that, if the list were gone through, a good many cases would be found in which his argument was not well based after all. But, suppose that, in those days when less attention was paid to the rights of the provinces, such a thing was done, does that justify us in doing it to-day? I take a firm stand on that question. I do not want to see this trouble and difficulty that is looming up between the provinces and the Dominion perpetuated. I would rather see peace and harmony. And to-day I think we ought to stand by the constitution as it is declared by the British North America Act, attending to those railway matters that properly pertain to us, but leaving to the provinces those railway matters which are in the field of provincial jurisdiction. I do not propose to say anything with reference to the advantage or disadvantage to Toronto of this road being constructed or not. I am not interested in that point at all directly, but I have no doubt that there are people in Toronto who would be delighted to see that road get there, just as it appears there are others who do not wish to see it reach that city, because it will interfere with the arrangements made with the Toronto Street Railway. On that point I do not now express any opinion, but give my views purely on the constitutional ground.

Mr. GRAHAM. There never was a time in our history when the question of transportation was so important as it is at present. Whatever is in the interest of the general transportation of the goods of the people or the people themselves, is to my mind to the general advantage of Canada. The time has gone by when we can make a distinction between electricity and steam as a propelling power. It may only be a short time when railways will be run, across the peninsula of Ontario at any rate, by electricity, and that will not make them

provincial railways. There are large railways running to the city of New York by electricity and that does not make them local railways. It is not a question how railways are propelled, and I was surprised to hear the fact that railways are propelled by electricity used as an argument. The time may come when in this country the ruling propelling power will be electricity.

Mr. MACDONELL. We are not there yet.

Mr. GRAHAM. We are getting there very fast and we are providing for the future. The question is such a large one, that we ought to view the case fairly, apart from provincial proclivities. I admit that, from every point of view, I am disposed to give the benefit of the doubt, whenever there be any, in favour of Dominion jurisdiction. Why? Because it is in the public interest that we should have uniformity of rates as far as possible, in every part of the country where our products are carried. This railway, it is said, ought to have a provincial charter because the British North America Act says so. I do not think it says anything of the kind. That Act points out certain railways which must be under Dominion jurisdiction, but it does not follow that these are all the railways which should be under that jurisdiction. The British North America Act points out others that might be under local jurisdiction, and evidently the men who framed it had in mind just such cases as we are dealing with now—because the Act provides that railways of an international character should have Dominion jurisdiction, and only those of a purely provincial character should have a provincial charter. But in addition, the framers of the British North America Act provided that if, in the opinion of the parliament of Canada, other works should be declared for the general advantage of Canada, they will fall, not under the jurisdiction of any one province, but of the Dominion, so that evidently the fathers of confederation had in mind just such works as the present. It does not seem to me the proper interpretation of the Act to insist that the Dominion jurisdiction must be confined to a few individual cases since they left it open for this parliament to say what works outside these should be declared for the general advantage of Canada. Evidently it was their intention that we should give this parliament and members of its committees credit for dealing with these matters as men of intelligence, justice and fairness; and in that view they gave this parliament power to declare that any works, such as the one in question, are for the general advantage of Canada. This railway is evidently a work for carrying on the general transportation of the country.

Mr. HENDERSON.

Mr. HENDERSON. Is that the meaning which the hon. minister puts on the words 'for the general advantage of Canada?'

Mr. J. A. CURRIE. I do not suppose that the hon. minister desires to widen that term, because in that case an ordinary wagon road might be interpreted as being for the general advantage of Canada.

Mr. GRAHAM. It might and it would be, if it ran the length of one province and into another, or even if it ran only the length of one province. But we must remember that wagon roads are usually the property of the municipal owners.

Mr. HUGHES. There are a couple of wagon roads for the general advantage of Canada to-day. One is the Monk road running from Ottawa westward.

Mr. GRAHAM. My hon. friend asked me to state why I think this road is for the general advantage of Canada. Let me say that anything which will tend to develop or solve the transportation problem, which make the carriage of goods easier and cheaper, is for the general advantage of all the people. Suppose this road, as I think it will, should carry many thousands of tons of coal from Oshawa, that will be used in manufacturing goods that go to all parts of the Dominion, then the cheapening of the carriage of that coal is in the interests of trade and commerce and consequently for the general good of the people. Anything which will help to solve the transportation problem, and the general advantage of the people, and the framers of the British North America Act had evidently such works as this in mind when they made this proviso. My hon. friend from Toronto (Mr. Macdonell) says that this railway ought to be under provincial jurisdiction because all electric railways in that district are under such jurisdiction. He is wrong. The former government gave the Oshawa electric road a Dominion charter.

Mr. MACDONELL. I said that the Toronto railway and all the railways running from Toronto within the limits of the province are under provincial jurisdiction, but the Oshawa railway is a road running two or three miles from the lake and connects with the Grand Trunk railway.

Mr. GRAHAM. I understood my hon. friend to say that all the railways in the radius of this Bill were under a provincial charter; but if that point were well taken, then at least the portion of the line near Oshawa should come under Dominion jurisdiction. The question to me is whether this railway we are now discussing, is for the general good of the people. The Oshawa railway got such a charter because of its connection with the Grand Trunk railway.

Mr. SPROULE. Was not that the very reason a Dominion charter was asked for?

Mr. GRAHAM. The same reason would apply in this case because this railway asks the right to join with the Canadian Pacific, the Canadian Northern and Grand Trunk, and become a portion of these roads, so far as the delivery of freight is concerned. My hon. friend will not find a business man say anything else than that this railway is for the general advantage of trade and commerce, and that consequently it ought to come under the jurisdiction of the Board of Railway Commissioners. It is all very well to argue theoretically, but you cannot get a wholesale man who will not say that any road going to the city of Toronto will be the better for coming under the Railway Board so far as its rates and operations are concerned. Toronto is a great distributing centre, and it is important that to and from the centre, goods should be carried cheaply for the benefit of the people. Just let me refer to the Oshawa railway. At the present time the Oshawa street railway carries the freight from the Grand Trunk by perhaps the most convenient way that any small electric railway in this country could do it. It has a Dominion charter, it has a connection with the Grand Trunk railway, and it delivers freight at the door of manufacturers in Oshawa and takes their freight from there to the Grand Trunk. I do not believe that there is a merchant, or any person who sells goods in Oshawa, who would ask that that road be disconnected and made what you might call a little jerk-water line by itself. I take a strong view on the question of provincial rights, and I say again that when it comes to the great question of transportation, cheap rates between one part of the country and another means cheap prices to the community and, therefore, it is for the general advantage of Canada, and I believe that the framers of the British North America Act anticipated just such an undertaking as this when they put that clause into the Act. As to the protection of municipalities, I say that ample protection is afforded to the city of Toronto by this Bill, and that when the Hamilton Radial Bill was passed to which the city of Toronto agreed, through their board of control, they gave greater privileges to that company than those which are given under this charter, and Toronto agreed to that only two years ago.

Mr. MACDONELL. They had to.

Mr. GRAHAM. Nothing of the kind. Does my hon. friend mean to say that the great, intelligent, broad-minded city of Toronto was compelled to agree to anything they found objectionable?

Mr. MACDONELL. Yes, what could they do? The Bill would have passed without those amendments if they had not agreed to them.

Mr. GRAHAM. Does my hon. friend mean to say that even that would compel the big city of Toronto to agree to that which was wrong? This Bill will probably pass. Will my hon. friend say: I will not object because this Bill will pass? That would not be a satisfactory excuse to present to his constituents; neither is it a sufficient excuse for the city of Toronto agreeing to this other proposition. As a matter of fact, that company came to myself and asked for a charter. I told them that they could not get that charter through in that shape, and that they could not get it through unless they agreed with the city of Toronto. They went to Toronto and came back with a signed agreement from the representatives of the city, and the city gave more to the Hamilton Radial Railway Company than we are going to allow this company as far as concessions are concerned. The city of Toronto is fully protected. In the first place, the railway cannot be located for 100 yards without the consent of the Minister of Railways. The plans and profiles of the whole line of the railway must be approved. Then, further than that, when it comes to be finally located the company cannot proceed with the construction of one mile of their line without the consent of the Board of Railway Commissioners. That is all protected. Are we prepared to do away altogether with responsible government? Is my hon. friend prepared to say that no government can do this business properly? He cannot say that, because the people and this parliament say otherwise. In addition to that they had the protection of the Board of Railway Commissioners. The commissioners settle where and how they enter the city of Toronto. They cannot go in where they like or how they like. There are special conditions that exist in Toronto that do not exist in smaller municipalities. I am prepared to frankly admit that every protection should be afforded, and I believe that such protection should be provided. The company cannot cross a street, above, below or on the level, and that means that they cannot get in at all, because they will encounter a street as soon as they get to the limit of the city, without first obtaining the consent of the city engineer.

Mr. SPROULE. Not a crossing of the street.

Mr. GRAHAM. The engineer of the city of Toronto and the company must agree.

Mr. SPROULE. Not as to the crossing of a street. That may be if they want to go underneath or above, but not in crossing.

Mr. GRAHAM. They cannot get in anyway. They cannot get in unless they agree, and if they do not agree, then the Railway Commissioners must approve.

Mr. MACDONELL. Suppose they will not agree, what happens?

Mr. GRAHAM. Supposing they do not, they are in the position that every other city in Canada is in. I say that the amendment was agreed to by the representatives of the city of Toronto in the committee. Let me say frankly that I would rather, were I fighting for the city of Toronto, have the protection of the Railway Commission under the Act than any section as to an agreement between the engineer of the city of Toronto, and the company. Only a short time ago the city of Ottawa agreed with the Canadian Northern Railway company to certain level crossings, but the Board of Railway Commissioners refused to ratify the agreement between them and the city. While consenting that this clause should go in for the better protection of the city of Toronto I submit that Toronto is not as well protected as it would be if it relied upon the Board of Railway Commissioners. Every safeguard that any municipality could desire, every safeguard that the city of Toronto could think of, practically, has been put into this Bill, and there is no reason, to my mind, unless we simply take the ground that we are not going to allow any railways to be constructed where anybody objects to them, why this Bill should not become law because no provincial rights are infringed, and every right of every municipality is fully protected by the amendment.

Mr. MACDONELL. I just want to correct a few impressions that the minister has created. The minister has stated that the representatives of Toronto agreed to this Bill.

Mr. GRAHAM. I say so now.

Mr. MACDONELL. That is not correct. What was done is this, the same as was done in connection with the Hamilton Radial Bill. For days and days, this Bill was debated in the Railway Committee, and several votes had been taken on minor portions of the Bill. The Bill was not passed, but it became self-evident that it would pass in a most obnoxious form unless the city made some concession. They did not agree to what was put in the Bill, but they accepted it as Hobson's choice. It was the best they could get, they had to take it or nothing, and so it is that this Bill comes to this House in this shape. The section that was spoken of by the minister, and other hon. gentlemen to-night as having been drawn by Mr. Bristol was referred to a Select Committee of which Mr. Bristol was a member, and that committee reported this amendment back to the House. I was not present at the meeting, and I do not know who was at the committee, but it was the best that could be got at the time by the representatives of the city.

Mr. GRAHAM. Did they not agree to it?

Mr. MACDONELL. No

Mr. GRAHAM. Yes, excuse me they did agree to it.

Mr. MACDONELL. What do you mean by agreeing to it?

Mr. GRAHAM. The representatives of the city of Toronto agreed to that clause.

Mr. MACDONELL. Agreed to take the best they could get.

Mr. GRAHAM. Nonsense.

Mr. MACDONELL. I want to place before the committee the following telegram from Mayor Geary in reference to this Bill. It is dated April 5, and was sent when the Bill appeared on the order paper last week:

Toronto, Ontario, April 5, 1910.

Claude Macdonell, M.P.,
House of Commons,
Ottawa.

You may state in the House that Hon. Sir James Whitney and his government are strongly opposed to the granting of the proposed Toronto Eastern Railway charter.

(Sgd.) G. R. GEARY,
Mayor.

So that Toronto does object to it. It is the best they could get.

Mr. GRAHAM. It is well that there should not be any mistake about this. We spent weeks upon this Bill. When this amendment came back from the special committee I asked the gentlemen representing both sides: Is this amendment agreed to? This is not second hand. They both said to me: Yes, if this goes through there will be no objection, they handed in the amendment, and it went through. If you can call anything an agreement I would say that that was one.

Mr. SPROULE. It seems that that agreement is very much like it might be supposing the minister was condemned to be hanged. If he were asked if there was not some more humane death and some one suggested bleeding him to death, he would accept what he regarded as the easiest mode of dying because he was going to be killed anyway. It is very much on the same principle that the mayor of Toronto and the hon. members representing that city accepted these provisions, because they could not get any better. I am opposed to this Bill in the first place because the province has strenuously objected to interference with provincial rights. We are provoking the antagonism of the provinces by our invasion of provincial rights with regard to water-powers and chartering provincial railways and in many other directions, and that feeling of ill will is bound to grow until ultimately it may cause us a great deal

of trouble. We should do everything possible to avert such a condition of things. The hon. member for Victoria (Mr. Hughes) cited a number of charters of a similar character to this which were granted by this parliament when the Conservatives were in power, but the fact is that in the early history of confederation very few people objected to the federal parliament granting these charters. The only province for many years after 1878, that protested against our granting charters to institutions of this kind was the province of Quebec. I then thought that these objections were fairly good, and it was a surprise to me that so little heed was paid them by the federal parliament. We did not then appreciate the full intent of the clause of the British North America Act which referred to a work being for the general advantage of Canada. For a long time we regarded that as a mere formal thing, but our ablest lawyers have come to conclude that these words must have had some substantial reason at the back of them. The Minister of Railways has to-night given a very strong argument for declaring a work to be for the general advantage of Canada when he said that such a work should be in the interest of trade and commerce, or in the interest of the transportation of the produce of the country generally. Another strong argument is that they might be applied in regard to the legal status of those who tried to secure their rights against common carriers who handle the produce of the country generally. But, let me give an example of what I think would be a very strong reason for incorporating a provincial undertaking under the declaration that it was for the general advantage of Canada. Suppose the Canadian Pacific railway reaches Toronto from the east and the Canadian Northern reaches Toronto from the west, and authority is sought to build a line to connect these two railways so as to make them one continuous transportation route, we might fairly say that the connecting line was for the general advantage of Canada; but, in the case of a short railway entirely within a province which does not connect with other transportation lines there is no justification for saying that it is a work for the general advantage of Canada. Whether right or wrong that is the view I entertain. Now, the hon. member (Mr. Hughes) told us that the fact that Mr. William Cowan, a man who owns two banks was at the head of this railway ought to be a guarantee that it is all right. Well, he might have told us that Rockfeller of the oil trust is at the head of a railway but that would be no argument to me. The very fact that a man is wealthy may enable him to build the railway, but at the same time it may make him a power for evil instead of a power for good. We all know that many of these rich corporations and rich men exercise the power of their wealth not for the good of the people but to their detriment. I repeat that the exceptional condition in the city of Toronto justifies the city having exceptional control over railways proposing to build their lines through the city. Then, as to the railways mentioned by the hon. member (Mr. Hughes) as having obtained their incorporation from the federal parliament under the Conservative regime, such railways as the Calgary railway and the Edmonton railway had to come here because then there were no provincial legislatures in these provinces, and many of the others mentioned were extensions of the Canadian Pacific railway which being chartered by this parliament, the branches had to come here for incorporation also. But, the line which we are now asked to incorporate is not connected with any of the great transportation, transcontinental or interprovincial lines. It is merely a local railway which may take freight from the Canadian Northern railway or the Canadian Pacific railway and charge an extra freight rate for hauling it a short distance. They may do as some of the railways are doing to-day, pick up a car at West Toronto and take it to Leaside, and charge for handling it as much as a railway will for taking a car a hundred miles, because it is on another line. The Railway Commission should have some control over this company, but that does not afford a strong argument why it should get its corporate powers from this parliament unless it is connected with other railways.

Mr. J. A. CURRIE. I do not wish to delay the House in the consideration of this Bill, but I would like to offer a few remarks on some of the issues which have been raised to-night in connection with it. The first issue has been raised by the hon. member for Victoria and Haliburton (Mr. Hughes), who says that a great many charters for small railways throughout the country have been granted by Conservative governments, and possibly by Liberal governments in the past. Any one who knows the history of railway legislation in this country knows that the words 'for the general advantage of Canada' have been inserted in railway charters granted by this parliament, so that the railways might be able to secure the government subsidy of $3,200 a mile which was granted by the Dominion government. The most recent case in point is that of the Ontario government railway, which was built from the town of North Bay as

far north as Cochrane, a colonization road in every sense of the word. Application was made to this government by the legislature of Ontario for the customary subsidy, but it was refused. Now, I understand that the policy of parliament is not to grant subsidies to railways in the thickly settled parts of the country; and in those sections electric railways are taking the place of steam railways. For a long time the charters for these electric or traction railways were granted by the provincial legislature. I can remember a great outcry which was raised in the province of Ontario, when the Minister of Railways was a minister in the provincial government, and when charter mongering became a scandal; and it was chiefly for that reason that the people of Ontario put out the Reform government there. It was whispered that it would not be many years before the applications for these charters were made to this House, and we now find that to be the case more and more every day. For my part, as a Conservative who wishes to see a change of government in this country, the more charters of that kind that are granted the more it will be for the advantage of the Conservative party. The mere fact that one or two members on this side of the House are in favour of a particular charter does not indicate that the Conservative party are in favour of the granting of these charters. The Minister of Railways states that the city of Toronto is satisfied with the amendment proposed. I asked the mayor and the city solicitor of Toronto, on their way home from attending the Railway Committee, if it suited them, and their reply was that it was the best they could get, but that they were not satisfied with it, and that statement is borne out by the telegram which the hon. member for South Toronto has read. The Minister of Railways is very strong in regard to the control of rates. Let me tell him that a great many industrial institutions have been established in towns and villages of the province on the distinct understanding that certain specified rates should be given to them by the railways in order that they might compete with similar institutions in the city of Toronto. But what do we find? We find that they enjoyed those rates for many years; but as soon as the Railway Commission was established the railways took advantage of it to compel the people of those towns and villages to pay the same rates as they did before those agreements were made.

Mr. GRAHAM. Would not that come under the statute which provides against discrimination?

Mr. J. A. CURRIE. The hon. minister must bear in mind that there are certain points such as Newmarket, which have to compete with the city of Toronto, though they have not the same advantage of competitive rates, and they are at a disadvantage under the regulations of the Railway Commission. In this respect the regulations of the commission have not inured to the advantages of towns and villages scattered throughout the provinces, which are on only one line of railway. Another point I wish to bring to the attention of the House is that this matter is left entirely to the engineer of the city of Toronto, and if he, and the company disagree, it goes to the Railway Commission. The hon. member for Victoria and Haliburton (Mr. Hughes) says he does not believe in placing any company at the mercy of a band of aldermen such as those in Toronto. I would rather trust the rights of the people to a dozen or half-a-dozen men, than to one man; but from the point of view of the company I admit that it would be more advantageous to deal with one man than with a dozen. If there is to be any dealings with the city of Toronto, it should be with the city council, and not with the engineer. The hon. member (Mr. Hughes) should consider seriously this question from the standpoint of public and provincial rights. I think this House would be justified in rejecting this Bill because it is a vicious measure in principle, the public are not in favour of it, and if the Minister of Railways thinks the city of Toronto would justify him in it, I am sure the member for South Toronto (Mr. A. C. Macdonell) would be prepared to meet him there at any time, and discuss the question before the electors. I am sure if he were to discuss it he would have a warm welcome.

Mr. CROTHERS. It is to be regretted that the Minister of Railways on behalf of the government has not made a frank declaration of the policy of the government, namely, that it is to abolish the distinction entirely between provincial and Dominion rights in reference to the granting of railway charters. If they will say that they will give charters to any company asking for them it will save a great deal of time. We have devoted much time to discussing the question of provincial rights in this connection within the last two sessions, and I do not remember one case in which the government has refused to grant a charter on the ground that the province had a right to deal with the matter. Every argument advanced by the minister in favour of this charter would be just as applicable to an application to this parliament for a charter to run a street railway in the city of Toronto because large merchants in Toronto live three or four miles out of the city, and it is important that they should get to their offices early in the morning. I suppose in one sense an indus-

trious old lady who keeps a cabbage garden is carrying on an industry for the general advantage of Canada. Where the British North America Act gives jurisdiction to grant charters under certain circumstances, it must be implied that there are some cases where provincial governments have the right to grant charters. I would like the minister to give a case where this government could not grant a charter on the ground of provincial rights. It would be a great saving of time if the government would announce its policy in this matter.

Mr. HENDERSON. The hon. member for Haliburton (Mr. Hughes) asked me a question which I neglected to answer. I enumerated a certain number of railways, such as the Calgary street railway and the Edmonton street railway, that were chartered by this parliament and said also that throughout the western provinces there was no other parliament to charter railways. The hon. member put the question: What about the Guelph Junction railway? I do not know if he had in mind that I had charge of a Bill in the late eighties amending that charter, and had discovered that I had permitted the passing of the Bill declaring that to be for the general advantage of Canada when it did not come within the jurisdiction. The original Guelph Junction Act was passed in 1884 and the Bill to which I referred was an amendment. The Railway Act at the time provided as follows :

> The Intercolonial railway, the Grand Trunk railway, the North Shore railway, the Northern railway, the Hamilton and Northwestern railway, the Canada Southern railway, the Great Western railway, the Credit Valley railway, the Ontario and Quebec railway and the Canadian Pacific railway are hereby declared to be works for the general advantage of Canada, and each and every branch line or railway now or hereafter connecting with or crossing the said lines of railways or any of them, is a work for the general advantage of Canada.

The Guelph Junction railway connects with the old Credit Valley railway and consequently I was right in promoting that Bill and having incorporated in it a clause that it is for the general advantage of Canada. I admit that the law has been changed since, and that the connection would now only make it a work for the general advantage of Canada so far as the point of contact was concerned, but at that time the law was different.

Mr. HUGHES. I accept your apology.

On the preamble:

Preamble agreed to. Yeas, 31; nays, 21.

Bill reported.

216½

CONSIDERED IN COMMITTEE—

THIRD READINGS.

Bill (No. 146) respecting the Kingston, Smith's Falls and Ottawa Railway Company.—Mr. Harty.

Bill (No. 171) respecting the Dominion Bank.—Mr. Macdonell.

Bill (No. 177) to incorporate the Morrisburg Ferry and Dock Company.—Mr. Broder.

Bill (No. 183) to incorporate the Ottawa, Rideau Valley and Brockville Railway Company.—Mr. Devlin.

Bill (No. 189) to incorporate the Protectorate Life Assurance Company of Canada.—Mr. Turriff.

SECOND READINGS.

Bill (No. 178) to incorporate the Ottawa and Montreal Power and Transmission Company, Limited.—Mr. Perley.

Bill (No. 176) to incorporate the Laurentian Insurance Company.—Mr. Rivet.

Bill (No. 190) to incorporate the Gatineau and Ungava Railway Company.—Mr. Devlin.

QUESTIONS:

FISH DRIER AT SOURIS.

Mr. FRASER:

1. Does the government intend to operate the fish drier at Souris, Prince Edward Island, during the coming summer?
2. What has been the total cost to the government of the erection, equipment, operation and expenses connected with this fish drier up to the present?
3. If it will not be operated by the government, is it the intention of the department to lease it? If so, will public tenders be called?
4. Who is at present, and during the last twelve months, in charge of this property, and what is the remuneration?

Hon. WM. TEMPLEMAN:

1. No.
2. $65,519.86.
3. Tenders for the leasing of the plant were called for last year. The question of the disposition that will be made of the establishment is now under consideration.
4. The drier has been under the care of the fishery overseer at Souris since operations therein have ceased.

GULL COVE BREAKWATER.

Mr. MADDIN:

1. In reference to a survey made last fall at Gull Cove near Gabarus in the county of Cape Breton, Nova Scotia, for a breakwater, what were the recommendations of the engineer?

2. Did he recommend the building of a breakwater?

3. Is it the intention of the government to build a breakwater at Gull Cove? If so, when is it proposed to start work and will it be built by contract or day work?

4. Will a sum for this purpose be placed in the further supplementary estimates?

Hon. GEO. P. GRAHAM:

A survey was made last fall at Gull Cove, near Gabarus, Nova Scotia, but the report of the engineer in charge has not yet been received.

GRAND MIRA WHARF.

Mr. MADDIN:

1. What was the cost of the wharf built at Grand Mira, Cape Breton, Nova Scotia, last fall?

2. Was it built by contract or day work? If by contract, were tenders called for? If so, where were they advertised?

3. Who supplied the timber, how much was supplied by each, and what was the cost of the timber?

4. If by day work, who were employed and how much did each receive?

Mr. GRAHAM:

1. $1,139.52.

2. By day work.

3. Angus McLellan	$13 20
Anthony McEachern	48 20
Joseph J. McDougall	15 84
John A. McDougall	25 74
Archie McIntyre	30 31
Alex. A. Gillis	42 22
James D. McEachern	10 62
John J. Gillis	75 46
John R. McDougall	32 53
John A. Gillis	24 40
Leo Campbell	15 98
Duncan McDougall	16 54
Phillips & Nicoll	97 50
Total	$448 54
4. Dan. J. Gillis, foreman	$153 50
J. S. McNeil	63 00
Duncan McDougall	49 50
Joseph J. McDougall	31 50
John A. McDougall	31 50
Michael McArthur	15 00
Neil L. Gillis	26 25
John L. Gillis	34 50
Neil J. Gillis	34 50
Joseph A. McDougall	31 50
Joseph L. Gillis	19 50
Angus D. McLellan	19 50
Donald Gillis	14 00
Ronald Gillis	6 00
Total	$516 25

MR. JUSTICE BRITTON.

Mr. CROSBY:

1. Is the government aware that, notwithstanding the provisions of section 33 of chapter 138 R. S. C., 1906, Hon. Mr. Justice Britton is said to have been acting as a director of the National Trust Company, Limited, with head office at Toronto?

2. If so, what action does the government propose taking with regard to the same?

Hon. A. B. AYLESWORTH:

1. The government has not been so informed.

2. The attention of the learned judge will be called to the fact that this question has been asked in the House of Commons.

18TH REGIMENT.

Mr. GIRARD:

1. Has Lieutenant-Colonel Savard of the 18th regiment, sold some old uniforms? If so, in what year and for what amount?

2. Have the proceeds of the sale been returned to the treasury?

3. For what purpose was this money used and by whom?

Mr. GRAHAM:

1, 2 and 3. Officers commanding units of the non-permanent force are permitted, under the provisions of paragraph 68, clothing regulations, part 2, to sell all clothing that has been condemned by the inspecting officer, as time expired and unserviceable, the proceeds of the sale being credited to the regimental funds of the unit.

Mr. GIRARD:

1. Does the government know that Captain Réné Talbot of the 18th regiment, has, it is alleged, never received the allowances which were due him in 1907 and 1908, of fifty dollars each year for his company?

2. Has the government paid the money and to whom?

3. Will the government see without delay that Mr. Talbot is paid?

Mr. GRAHAM:

1. The government is not aware of the fact.

2. Yes; the 'care of arms' allowance due to Captain Talbot for the years 1907 and 1908 were paid to Lieutenant Colonel J. E Savard, the officer commanding the 18th Regiment, together with the allowances for 'care of arms' due to the other company commanders of the regiment. Allowances for command pay and drill instruction and postage were paid to Captain Talbot direct.

3. Inquiry will be made into the alleged non-payment of 'care of arms' allowances to Captain Talbot for the two years in question.

Mr. GIRARD:

1. Does the government know that since the retirement of Colonel Wurtele of the 18th regiment the pay-lists of the different camps which have been held are, it is alleged, covered with false names of persons who were never present at those camps?

2. If so, does the government intend to take proceedings without delay to have refunded

the money thus said to have been taken from the country?

Mr. GRAHAM:

1. The department has no knowledge of any such irregularities, this corps, like others, having been mustered in camp by the camp paymaster, and the men in each case answering to their names when called.

2. An inquiry will be made, and if there is found to be any truth in these allegations, proceedings will be taken.

OTTAWA IMPROVEMENT COMMISSION.

Mr. FIELDING moved that the House go into committee to-morrow 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.

He said: His Excellency the Governor General having been acquainted with the subject matter of this resolution recommends it to the consideration of the House.

Motion agreed to.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What business to-morrow?

Mr. FIELDING. The Combines Bill, and supply in the Public Works estimates.

Mr. SPROULE. Not the Naval Bill?

Mr. FIELDING. At the suggestion of hon. gentlemen opposite that Bill has been deferred over to-morrow.

Motion agreed to, and House adjourned at 10.25 p.m.

HOUSE OF COMMONS.

TUESDAY, April 12, 1910.

The SPEAKER took the Chair at Eleven o'clock.

FIRST READINGS.

Bill (No. 201) for the relief of John Green.—Mr. Edwards.

Bill (No. 202) for the relief of James Thornton Brownridge.—Mr. Blain.

Bill (No. 203) respecting the Essex Terminal Railway Company.—Mr. A. H. Clarke.

INTRODUCTION OF MEMBER.

Mr. Albert Allard, member for the electorial district of the City of Ottawa, introduced by Sir Wilfrid Laurier and Mr. McGiverin.

DUAL REPRESENTATION.

On the order of the day being called,

Mr. CAMPBELL. Since December 7, I have had on the order paper a Bill which I was prepared to discuss, but which as a matter of courtesy to the Prime Minister who was leaving the House I allowed to stand over until opportunity offered. When may I have that opportunity?

Sir WILFRID LAURIER. I believe the Bill related to the question of a member being elected for two different constituencies, its object being to compel him to make an election as to which seat he would sit for. I am glad to say that the committee who are revising the rules have a rule on this subject which I think will meet all the objects my friend seeks to obtain by this Bill.

COMBINES INVESTIGATION ACT.

Hon. MACKENZIE KING (Minister of Labour) moved that the House go into Committee of the Whole to consider the following proposed resolution:

Resolved, that it is expedient, in connection with Bill (No. 101) now before this House respecting the investigation of Combines, Monopolies, Trusts and Mergers, which may enhance prices or restrict competition to the detriment of consumers, to provide for the appointment of Boards of Investigation for the purpose of inquiring into alleged combines causing enhanced prices or restricted competition, for the appointment of counsel to conduct investigations before such boards, and for the payment of the members of such boards and of counsel, and of witnesses appearing before the boards, and of all expenses of boards, including transportation expenses incurred by the members thereof, or by persons under orders of such boards, in making investigations under the Act, and salaries of employees and agents and the payment of clerical and other assistance.

He said: This resolution is necessary in connection with Bill (No. 101) which I had

the privilege of introducing in this House nearly three months ago. It might be well, perhaps to precede any remarks it may be necessary to make on the second reading of the Bill by some reference to the purpose of the introduction of the measure at this particular time, the object which it is hoped the Bill will serve and the spirit in which the measure has been introduced. There is no question to-day which has attracted so much attention in this country, and particularly in the United States, as the question of the cost of living for the mass of the people of the country. We have during the last few years experienced a serious and a considerable rise in prices. This increase in the cost of living has not been confined to any one class, rich and poor alike have had some experience of it, but it has had a very serious effect upon men of limited incomes, upon the wage-earning classes, upon those whose salaries are fixed and those who do not receive much in the way of remuneration. To one family after another it has meant curtailment of enjoyment, the foregoing of opportunities of education or recreation, a neglect of future needs, and the claims of others for future support, the giving up of insurance policies; to many it has meant a mode of living less congenial or beneficial to that previously enjoyed, to some, downright privation and hardship; to all sacrifices of one kind or another. That it could not be otherwise, where incomes or wages have not proportionately increased, actual statistics must make apparant enough. It is this question of the cost of living which has helped to make the question of combines, monopolies, trusts and mergers and the possible effect they may have on prices, so important. In the popular mind there has come to be a gradual association between these two phenomena. In the first place, people have experienced the rise in prices, and in the second place, they have observed the formation in increasing numbers of these large aggregations of capital, and they have got it into their minds that these two phenomena are associated one with the other. I think there may be some reason for that in particular cases, but I believe there are other explanations which will account for the rise in prices than the formation of combines and trusts. Similarly while combines and trusts may have had the effect in some cases of increasing prices, they have not always had that effect, but sometimes an effect entirely different, and I would like the House to understand that in introducing this legislation no attempt is being made to legislate against combines, mergers, and trusts as such; the whole intention is to place some restraint on these large aggregations of capital so that the advantages which may come from large combinations of wealth may in some measure be secured to the public, who have helped to make possible these large combinations.

It may be interesting to the House to have an idea of how the cost of living has increased in the last few years. I have here a series of charts being prepared at the present time by the Department of Labour. These show in statistical and graphic form the increase that has taken place in the last twenty years for the different classes of commodities in this country. Just taking a casual glance at them one observes that in the past 20 years prices have, broadly speaking, increased something like from 30 per cent to 40 per cent in most of the commodities which are in the nature of the produce of the farm and the field. Manufactured articles have not increased to the same extent, but there has been a very perceptible upward lift during the last ten years over what was the average rate between 1890 and 1900. As a matter of fact prices were at their lowest ebb in 1896 and 1897. Since that time allowing for the temporary depression of 1907, they have gone up steadily, and if we look at the movement from 1896 to the present time, we will see that in some commodities prices have increased as much as nearly 70 per cent or 80 per cent over what was the average in the years 1890-1900. It would take too long to explain at any length the details, but I would like to indicate what has been the nature of increase that has taken place. These tables have been prepared by Mr. Coats, the associate editor of the 'Labour Gazette.' Mr. Coats has done very excellent and indefatigable work in the preparation of these tables. The statistics have been gathered for a period of over 20 years past and have been gathered from leading trade journals, market quotations and reliable sources in different parts of the Dominion, and I believe that when the report is prepared we will have one of the best reports on prices ever produced on this continent.

Two or three years ago an investigation was made in connection with the Royal Commission appointed to inquire into conditions in the Civil Service and in connection with that investigation a memorial was presented to the commissioners. Referring to this memorial one finds that as the result of an investigation at that time the statement is made that it would be safe to say that for families living in Ottawa on incomes varying from $600 to $900 the rate of advance in the decade from 1897 to 1907 was between 30 per cent and 35 per cent. Of course, the rate of increase in the cost of living will be more considerable to people on smaller incomes. The rates were:

Amount of Income.	Rate of Increase.
$ 300	34%
1,200	30%
2,000	25%

These figures might be supplemented from a large variety of sources.

Taking the result of the investigation in the Department of Labour to which I have made reference, one finds the following increases in wholesale prices by groups of commodities compared with the average rate for the decade 1890 to 1899 and compared with 1896:

TABLE showing increases in wholesale prices by groups of commodities.

Group of Commodities.	PERCENTAGE OF INCREASE IN PRICES, 1909.	
	Compared with decade, 1890-1899.	Compared with 1896.
	per cent.	per cent.
Grains and fodder (13 commodities)	50·0	76·0
Animals and meats (14 commodities)	48·6	80·0
Dairy produce (5 commodities)	33·6	48·0
Fish (9 commodities)	34·0	31·0
Other foods (37 commodities)	7·6	23·0
Hides, tallow, leather, boots and shoes (11 commodities)	35·4	45·0
Implements (10 commodities)	2·4	4·0
Fuel and lighting (9 commodities	4·0	5·0
Building material—		
a. Lumber (12 commodities)	54·6	60·0
b. Paints, oil, and glass (14 commodities)	35·2	40·0
House furnishings (15 commodities)	10·4	14·0
Drugs and chemicals (16 commodities)	4·0	5·0
Miscellaneous—		
a. Furs (4 commodities)	127·2	180·0
b. Liquors and tobaccos (4 commodities)	17·5	20·0
All 173 commodities	26·0	40·0

It will be seen that on certain classes of commodities, the classes on which the masses of the people mainly depend, grain, fodders, animals, and meats, dairy produce, and foods, hides, leathers, boots and shoes, and the like, the increase has been very much higher than the average, it has ranged anywhere from 30 per cent to 50 per cent.

These figures are borne out by investigations made in other countries. Recently the Department of Labour of the United States made an investigation into wholesale prices for the years from 1890 to 1907. The Department of Labour there found that for the year 1907 the highest recorded level of prices was reached since 1890. The rise from 1897, the low point as worked out by the department is 44.4 per cent.

Mr. LENNOX. The hon. minister has mentioned that although combines generally had a tendency to enhance prices, there were instances in which they had not that effect. Would he mention an instance?

Mr. KING. I am not aware of having said that combines generally increased prices. I said that in some cases I thought that they had, and in others, I did not think they had.

Mr. LENNOX. Will the hon. minister mention an instance in which they had not that effect?

Mr. KING. I am comng to that point a little later on. Recently the House at Washington ordered a special investigation into the causes of the increased cost of food, and other products. I have here a report from the Secretary of the Department of Commerce and Labour, transmitting tables giving percentages of the increase in prices of food and other products. This investigation corroborates in many details that made by the Canadian Department of Labour, showing that prices have increased during the last decade from 25 up to 50 and 70 per cent in the different classes of commodities in the United States. A comparison between the movement of prices in this country and the United States and Great Britain would go to show that, in all three countries, they have risen materially, but that the rise has been more considerable in the United States than in Canada, and in Canada than in Great Britain.

Mr. EDWARDS. How does the rise in prices of agricultural products in Canada compare with their rise in the United States?

Mr. KING. It would take considerable time to go through the figures in individual cases, but I shall be very glad at any time to give information on those points later. In the discussion in committee we can take up the individual subjects. I would ask hon. gentlemen to allow me to make a general statement in the first place.

Mr. R. L. BORDEN. The best course would be to take a note of any information desired and endeavour to give that in committee.

Mr. KING. Referring to another source, a record of prices on 96 commodities compiled by Bradstreets on January 1, 1910, shows that prices in the United States, on that date had reached an absolutely high

record mark. The increase is 61 per cent over the figures of July, 1896, which was the lowest price touched by Bradstreets calculations. Mr. Blue, the Census Commissioner for the Dominion, prepared a statement two or three years ago regarding the increase in the cost of living in this country, and he found that there had been, during the fifteen years from 1892 to 1896, an increase in the prices of food products, ranging from 15 to 20 per cent. In 1906, there had been a rise which would bring the increase up to a larger percentage. Then there have been three or four other important investigations conducted by different bodies.

Throughout the Dominion the steady increase in the cost of living, especially since the beginning of the present century, has been the subject of repeated comment, and, in almost every city or centre of employment, of more or less careful examination. In 1906 the Ontario Educational Association went carefully into the whole matter, in connection with the arrangement of teachers' salaries, with the result that an increase amounting to thirty per cent in 10 years was shown. In 1907 an estimate made by the Synod of the Church of England in the city of Quebec placed the increase within the decade at a much higher rate. In the city of Toronto, an investigation conducted with care and minuteness during 1907, by the Department of Political Economy of the University of Toronto, also showed a higher rate of increase. These examples could be multiplied.

All show upward movement since 1896--30 to 35 per cent higher than the average for 1890-99; 40 to 45 per cent higher average, 1896-97.

The cost of living has increased from 30 to 40 per cent in the case of incomes ranging from $2,000 down to $500. That is a fact which has impressed itself upon all classes of the community. Now what has the community been witnessing in another direction? We find the increase in the cost of living going on simultaneously with the organization of capital on a large scale, the formation of trusts, mergers and combines of one kind or another. I have the figures here with regard to combines in the United States, and these combines have had their effect on the people of this country, as well as those of the United States. Quoting from Nelson's Encyclopedia of 1909, which has the latest information gathered on the subject, I find that :

> Down to 1898 the number of trusts formed (in the United States) was small. From 1898 to 1900 not less than 149 such combinations with a capitalization of over three billion dollars was formed. A large number of combinations have been effected since 1900, the most important of which was the United States Steel Corporation with a capitalization of $1,400,000,000. The aggregate capitalization of such corporations in 1906 is variously estimated at from six to eight billion dollars. . . . The Sugar Trust, it has been estimated, controls ninety per cent of the output of refined sugar in the United States; the Standard Oil Company sixty-five per cent; the Rubber and Paper Trusts about seventy per cent of their respective products; the Steel Trust less than sixty per cent. The six great packing companies —the 'Beef Trust'—slaughtered only about forty-five per cent of the cattle killed in the United States in 1903. The Salt Trust controls over eighty per cent of the salt produced in the country, and the Starch Trust about ninety per cent of the starch. Where the proportion of the industry not controlled by the trust appears to be considerable, as in the case of the Standard Oil Company, allowance must be made for the output of companies ostensibly independent, but in reality controlled by the trust. Furthermore, while in some industries a large proportion of the business may be in fact as well as in name independent of the trust, as in the case of the slaughtering industry, the great combination, nevertheless, controls certain markets without much interference from competitors. The six great packing companies furnish 75 per cent of the beef consumed in New York; in Boston they furnish over 85 per cent; in Philadelphia and Pittsburg 60 per cent; in Providence more than 95 per cent. In the greater part of the smaller cities and towns of New England the trust furnishes more than three-fourths of the consumption.

I shall not weary the House with statistics of the growth of trusts in the United States, but will refer hon. gentlemen to a book written by Mr. John Moody, entitled, 'The Truth About Trusts,' in which they will find tabular statements regarding the large amalgamations in the United States during the last ten years, the number of plants acquired or controlled and the total capitalization, stocks and bonds outstanding. An analysis of these figures slightly in detail would show that of the industrial trusts 15 have $100,000,000 capitalization or over, 33 have $50,000,000 or over, 165 have $10,000,000 or over, and 451 have $5,000,000 or over. Of the franchise trusts 16 exceed $100,000,000, 41 exceed $50,000,000, and 156 exceed $5,000,000. Of the six greatest railroad groups, all exceed $1,000,000,000 capital.

These figures should make every one realize the tremendous power thus vested in the hands of a few men and point to the necessity for some agency in the direction of state control to see that this power is not exercised to the detriment of individuals or the public. No exception can be taken to a trust doing all that is justifiable to further the interests of those whose capital is invested in it, but the business should be carried on with due regard to the interests of the large body of consumers who make up society.

Sir WILFRID LAURIER. Hear, hear.

Mr. KING. While we have had this growth of mergers and trusts in the United States, we have had a somewhat similar growth, though not on so large a scale, in this country. Before 1909, there was not a large number of these corporations in Canada, although the Montreal Light, Heat and Power Company, the Dominion Textile Company, the Canadian Breweries Company, and the Canadian Consolidated Rubber Company, are large aggregations of capital that will be present in the minds of all here. I have here a statement showing the different mergers that have been effected since 1901, but will pass over that for a moment. Last year, 1909, was a year in which so many mergers and consolidations took place that no less a financial authority than the 'Monetary Times' refers to the circumstance as constituting the year 1909 'merger year.' There can be little doubt these consolidations were an outstanding feature of the industrial and financial situation of Canada during the last year. There were formed in that year the Amalgamated Asbestos Corporation, Limited, the Black Lake Consolidated Asbestos Company, Limited, the National Breweries Company, Limited, the Canada Cement Company, Limited, the Carriage Factories Company, Limited, the Canadian Car and Foundry Company, Limited, the Quebec Railway Light, Heat and Power Company, Limited, the Siemon Company, Limited, the Canadian Consolidated Felts Company, Limited, and we are told of a contemplated merger in the maritime provinces of the Dominion Iron and Steel Company and the Dominion Coal Company. These figures would, I think, bear some careful study, not necessarily as reflecting in any way upon the organizations concerned in these particular mergers, but rather as helping to illustrate an industrial development in our country, a development which is likely to increase during the years to come; and unless the mergers and trusts are to be wrongly judged by the public, they must in some way be made subject to a larger measure of state control than they are at present. If one will look over the press since the beginning of the present year, he will find that there is hardly a day when mention is not made of some new consolidation or merger. And these announcements come out simultaneously with the experience every one is having of the increased cost of living. The fact that these two things have come together has brought about an association between them in the minds of the public in the nature of cause and effect. My reason for dwelling at some length on both these points is that a truer discernment may be arrived at of the nature of the phenomena into which we are examining and the results to the community.

Mr. J. HAGGART. Do you know whether these combines, or trusts have acted injuriously to the public?

Mr. KING. I have nothing to say in that regard. I have not any evidence at the moment to offer to the House, but I would refer hon. members to the report of the select committee appointed in 1888, when the late Mr. Clark Wallace brought up the subject of combines and consolidations I could quote a considerable amount of evidence given before that committee to show that some of these trusts have acted in a manner injurious to the public, and there is strong reason to believe that, without going into details of individual cases, an examination into some, not all of them, would show they had acted in a manner hardly considerate enough of the interests of the vast body of consumers.

Mr. BLAIN. Could my hon. friend give us any figures which would show that since eight or ten years, during which he said some combines have existed, the articles in which they deal have been made dearer to the consumer.

Mr. KING. One might name a great many, but I perhaps would do injustice to individual concerns were I to single any out. I might do injustice for this reason that while there has been a rise in prices, that has been due in many cases to a large number of causes. The legislation we are proposing is legislation which will afford an examination into the business of every large concern, where there is reason to believe that a combine is operating to an undue disadvantage of the public; and until an examination of its business had taken place, I would hesitate to say that it has been acting unfairly. The fact that the increase in prices, and the formation of these large mergers, and combines have taken place simultaneously, has created in the minds of the people a strong impression that the two are intimately connected, and the public are demanding some kind of legislation which will enable them to see whether they are right or wrong in that particular.

Some hon. MEMBERS. Hear, hear.

Mr. KING. It has become impossible to disassociate in the popular mind the two outstanding phenomena, the one a matter of daily observation, the other of daily experience, and the public has come to believe that in some way, or to some degree, the increased cost of living which it has had to bear is in some hidden or unfathomable manner linked up with these uncontrollable aggregations of wealth representing gigantic interests and possessing gigantic powers. I was just about to mention

that there are innumerable instances of mergers alleged to have been formed during the present year. In the Halifax 'Chronicle' of February 21 it is stated that:

The Engineering and Mining Journal of New York, one of the chief authorities of the iron and steel trade says in its current issue that reports come from Montreal and Toronto that negotiations are in progress for consolidation of Canadian iron and steel interests, somewhat on the line of the United States Steel Corporation.

The 'Canadian Miller and Grain Elevator' of March, 1910, refers to alleged mill mergers. That paper says:

It is believed that about ten mills are being considered in connection with the merger.

The Hamilton 'Times' of February 21 talks about a proposed consolidation of all the gas companies in the Haldimand field. Various references have been made in the press to a formation of a giant merger of all the canned fruit and vegetable interests of eastern Canada. The Hamilton 'Times' of March 2 deals at some length with this merger. The Montreal 'Star' of February 16 refers to an alleged combine of four of Cobalt's richest silver mines. The Toronto 'World' of December 30 refers to an amalgamation of the leading electrical machinery construction companies in Canada for the purpose of avoiding future cutting of prices. The Montreal 'Star' of December 19 refers to the big works of the Toronto Bolt and Forging Company, Limited, at Sunnyside and Swansea, employing some hundreds of men, and said to be the centre of a big consolidation that will represent at least $1,000,000 of invested capital. The Toronto 'Star' of February 11 talks about several navigation companies alleged to be forming a consolidation. The Toronto 'Globe' of January 21 refers to a combine in the asbestos trade. The same paper of February 24 refers to a combine among some of the Montreal railway and power companies. The Montreal 'Gazette' of January 26 refers to mergers of the various properties of the Canadian Electric Company, the Quebec Railway, Light and Power Company, the Jacques Cartier Light and Power Company, the Frontenac Gas Company, and the Quebec Gas Company. The 'Mail and Empire' of February 1 has a reference to a merger in the fish business on the Atlantic coast. And another reference to that merger is made in the Toronto 'Star' of February 16. The Manitoba 'Free Press' of December 1 speaks of a grain combine among the grain dealers. Mention is also made in the Toronto 'Star' of February 11 of an alleged combine among Canadian insurance companies, and the Manitoba 'Free Press' of December 11 also takes up that question.

The Montreal 'Star' of March 7 had reference to several companies in the oatmeal and cereal business, forming a large combine. The Montreal 'Gazette,' March 31, speaks of a merger of ice dealers; the Montreal 'Times' of April 2nd, talked about an amalgamation of three soap manufacturing concerns in St. John; the Montreal 'Star' of the 10th of last month has a rumour of large mergers of lake concerns. Then we had the following interesting reference in the Montreal 'Star' of March 14th of the present year, to a combine among the ocean steamship companies in the matter of ocean rates, I will read that extract to the House. It is headed 'Ocean rates may advance this spring. Canadian importers fear increase on west bound freights next month. Trade commissioners suggest that charges are regulated by combination of North Atlantic lines.'

That the next publication of tariffs will find an increase in freight rates between Europe and Canada is an opinion widely expressed by importers in the business district. In this connection the statement has been made that the Canadian North Atlantic Westbound Freight Conference is a combine in the fullest sense of the word.

There have been gradual increases in freight rates and after an investigation of the conditions, Mr. Richard Grigg, His Majesty's Trade Commissioner to Canada, wrote: 'It is alleged and very generally believed that an understanding exists between the Canadian North Atlantic Westbound Freight Conference and lines of steamers from Great Britain and the Continent to New York, Boston, and Portland, and that freights are therefore regulated by combination.'

Lessen British Preference.

The natural result of such a condition would be to lessen the value of the British preference, while United States products carried by rail, and therefore not subject to the same increased charges, would profit by the handicap to British trade. This, it is asserted, is actually happening.

Boards of Trade in Canada interested themselves in the matter, that of Toronto making a particularly strong protest against any advance in rates. The Montreal body also joined in protesting against any increase.

A Monopoly Control.

It would appear that a further increase based, not on competitive conditions, but on a monopoly control, may be expected to reduce the tonnage carried and prove a source of injury to British trade * * * *

Attention of Government.

That these matters will receive the attention of the government is hoped by persons who are affected and in this connection the Bill introduced last month by Mr. Mackenzie King, entitled 'An Act to Provide for the Investigation of Combines, Monopolies, Trusts or Mergers which may enhance prices or restrict competition to the detriment of consumers,' promises to be of interest.

The intention to introduce such a Bill was announced by Sir Wilfrid Laurier when

ministers received a deputation from the Boards of Trade of Montreal, Toronto, Quebec and Hamilton, demanding investigation of the porterage charge made by shipping companies and applying only to Montreal and Quebec, which is in reality an increase in the rate of freight; and protesting against an important increase in the rate of ocean freights by the Canadian North Atlantic Westbound Freight Conference.

Scope of New Bill.

The scope and bearing of Mr. Mackenzie King's Bill does not appear as yet to have been fully realized, and it has so far received little public notice but its object is so important that it is not likely to suffer from continued lack of attention. It indicates no less a fact than the beginning of the inevitable conflict between the government of Canada and the abuse of power conferred by combination.

And there is the essence of the whole of this measure. It is not aimed against combinations as such, but against the abuse of their power by combinatione:

A subject which has long absorbed attention in the United States and provoked bitter controversy. In Canada, the active principle of the Trust has not as yet assumed dimensions so portentous as those exhibited in the case of her neighbours, but there is evidence that beginnings have been made and the government may properly feel that it is better to meet the issue early than wait the development of opposing forces.

Now it is interesting to notice, in connection with the discussion which has been going on in the press in regard to these large combinations, that the largest industrial combinations of all in this country have escaped criticism altogether, namely, the great railway concerns of Canada. I think that fact is of particular significance in connection with the legislation we are contemplating at the present time. It shows clearly that the public are not opposed to large combinations as such; it shows clearly also that the public are not opposed to these large combinations extending their influence, widening their sphere of action, and obtaining new facilities in different directions. But what the public are looking to this government to do in connection with large industrial concerns is something along the line of what we have already done in regard to these great railway interests. The difference between the two is this. The railway companies at the present time are subject to investigation by a body known as the Railway Commission. That body has power to inquire into the business of these companies, to see how they manage their business, to find out whether their rates are excessive, and the fact that such a body does exist has given confidence throughout the country in the minds of the public that their interests are in some way being protected. And I feel that once the legislation the government is offering at the present time in regard to other industrial concerns, is put upon the statute-book, a great deal of the agitation which we have been having in this country against combinations as such will cease altogether, because the public will then realize that we have in this machinery an effective means, of preserving the public against any combination which is using its powers in a manner detrimental to their interests.

Now Sir, several questions have been asked me as to whether I thought that combinations were wholly responsible for the increase of prices that has taken place. In accounting for the rise in prices and consequent increased cost of living, many causes have been assigned, and if the truth is to be stated, it is to a variety of causes rather than to any single cause that this is due. Nor is it to be supposed that in some respects this rise in prices is not a good thing. In so far as the rise is due to the discovery of new sources of wealth, to the increased investment of foreign capital in the Dominion, to the opening of new areas of cultivation, to larger and wider markets, to increased settlement of hitherto unsettled parts, to the increased number of people who have to be fed, to increased transportation, storing and refrigerating facilities, to the prevention of waste, to improved methods of production and distribution, the rise is to be welcomed as an actual increase in the wealth of the world, and as reflecting the increased prosperity of our time, a prosperity in which the farmer, the mechanic, the business and professional man have all shared to a greater or less degree. I think in regard to any study of the history of the movement of prices in this country, it will be seen that the causes I have just mentioned have operated in a very large measure to bring about that increase. In connection with that subject, I have received any letters since this measure was introduced, and in particular I have a very interesting communication from one of the largest manufacturing houses of this country, a company of pork packers and provision merchants at Toronto. I would like to read an extract from this letter, as showing what, in the opinion of the gentlemen engaged in this business, has been the cause of the increase of prices in some of the raw materials and raw products. The letter is dated February 1st, and I will read this extract therefrom:

In earlier years when there was less efficient transportation, less excellent refrigerated car service, less controlled temperature on board steamships, and less refrigerated establishments at central and inland points, for many lines of food products produced on the farm at the period of the year when the quantities marketed were largely in excess of immediate requirements, the price sank to a

very low point. With the advent of the modern refrigerator, experience has demonstrated that during this surplus period perishable product can be purchased and stored for later marketing. It has been found that well selected and well stored product, with improved transportation, permits of the shipment of such products to remote markets hitherto little considered. The inevitable effect has been to establish higher buying prices for butter, eggs and poultry during periods when under earlier conditions they broke badly in price. Through these conditions producers have secured much higher prices. Such results are inevitable, indeed, the whole cold storage and refrigerated transportation policy of the present Minister of Agriculture has been conceived to this end.

The opening of the Northwest and the inrush of new settlers, and the development of the mining camps in New Ontario, have increased in a very remarkable way the demand for farm products in this province. Years ago when fowl were abundant in the fall of the year, they were disposed of in large quantities upon this market and Montreal, through commission houses, and sometimes at very cruel prices. They were badly handled and badly sold. The result was that notwithstanding handsome profits to the retailer, consumers secured poultry for two or three months in the year at very low prices. Now large dealers have their agents through the country instructing farmers how to dress their poultry or are themselves dressing it for them. The market which they first secured for such product was in Great Britain. This year not one bird has been shipped there, but all the surplus has gone to the Canadian Northwest. I know of one firm alone who made a contract to deliver 42 carloads of poultry for shipment west, for distribution from Winnipeg to the British Columbia coast.

It is noticeable that in this presumably producing country, we have practically no surplus butter for export. By reason of the marked improvement in the quality of butter through manufacture in creameries, the consumption at home has greatly increased. In addition there has been the added demand from New Ontario and the West. The consumption of milk, too, in big towns and cities, owing to the great increase in the use of cereals, has taken cream which otherwise would have gone into butter. A few years ago tens of thousands of cases of eggs were exported to Great Britain. During the past years not one case was sent out of the country. All were required for home consumption, the added demand coming from the West and the mining camps in New Ontario.

The real situation in Ontario is that new markets of large dimensions have recently been opened for her products in the West, with its new settlers and railway construction, and the mining camps in New Ontario. At the same time a greatly increased outlet has developed in the towns and cities of the province, by reason of the steady increase of the non-productive population.

I think this letter states very clearly what has been one of the causes of the improvement of the condition of the farmers of this country which has helped to make more profitable some of the business in which the farmers have been engaged. But, there have been other factors that have helped to take away in part some of the advantages which the farmers would otherwise have had. The greater difficulty of securing farm labour and the higher cost of labour have taken away much of the advantage which perhaps the farmer would have gained from the better arrangements described in this letter. However, the important point to consider is that much of the increase in prices that has taken place is simply an index of the greater prosperity that has resulted from a better policy in the interest of the farming community of this country.

There are other causes that have also contributed to the rise in price. First of all, we have the great extravagances of the wealthy class. Under the conditions of development and expansion described, opportunities have been afforded to investors, to the possessors of great natural resources, and to those who have had to do with their development and the distribution of products and produce, a means of acquiring wealth such as comes but seldom to a people in the life of a nation. Unfortunately, the riches thus reaped do not always become generally distributed; while the prosperity is real enough, it somehow seems to converge into the hands of a few. This wealth so suddenly, and in many cases so easily acquired, has given rise, not infrequently, to standards of living to which its possessors were strangers a few years before. Money easily obtained has been lavishly displayed and spent, sometimes on more and better food, sometimes on more and better clothes, often on more and dearer luxuries.

This extravagance of the rich considered in all its bearings, and in particular of what it has demanded of its host of imitators, has done much to enhance the cost of living. Wealth centred in the hands of the few has helped to determine the price at which the many have been obliged to pay. The result has been that through the extravagances to which I have referred, we have come to have large demands for certain classes of commodities that are not commodities that are produced for the mass of the people, and capital which would otherwise have been invested in those things in which the mass of the people are more interested has been withdrawn from those occupations and been put into such businesses as making automobiles and the like in order to supply the demand of those who have become very wealthy. It is in this sense that it has been well and truly said that the high cost of living is the cost of high living or the cost of living high. So much by the way of general statement.

To examine in a more critical and scien-

tific manner the causes of the increase in the rise of prices, it is necessary to consider first, what prices in reality are. Rightly understood they are the value of commodities in terms of gold. It follows, therefore, that whatever effects the relation of commodities to gold in the matter of supply or demand of either of these factors will have its effect upon prices. Prices are the result of an equation of which commodities and gold are the two factors; an increase in the former relative to the latter means a lowering of prices, an increase in the latter relative to the former an increase in prices. That the supply of gold has vastly increased is a matter of statistical record. That this increase relatively has been so considerable as to affect prices is the belief of many leading economists, among the number such eminent financiers as Sir Edgar Speyer, who recently paid us a visit, and such eminent authorities as Professor Taussig, of Harvard; Professor Fisher, of Yale, and Professor J. B. Clarke, of Columbia. In fact, there is practical unanimity as to this being one of the main causes.

When we look at the gold side of the question, we find that the total gold production in the world has been doubled in the last decade, and that ten years ago it was practically double what it had been ten years before that again. Against the increasing production there is, of course, to be placed the increased amount of gold necessary to meet the needs of a population vastly larger, and further, the large amount of gold consumed in the arts, though the increase in the amount of gold used in the arts is, I understand, estimated by the best authorities to be considerably less relatively to the amount in use as a medium of exchange.

This is a circumstance of course which sooner or later comes to affect all countries alike, for the flow of the precious metals is such that though invisibly and imperceptibly, they gradually tend to find their level in all parts of the world. This cause may account for relative increases over periods of time, but the causes which account for actual prices in different countries are necessarily of a different nature.

There is, however, a further influence closely associated with the production of gold, which, however, is more impalpable and incalculable, and which comes into play in the shape of credit, by virtue of which one comparatively small quantity of gold does duty for vast movements of currency. The service which credit can render in this connection is enhanced in this country by the splendid system of branch banks which extends throughout the country. Credit, of course, rests primarily on confidence, which in turn, is based upon the actual or prospective wealth. The extent to which credit is likely to play a part in affecting prices will depend upon the degree of confidence in the business community. The whole level of prices will be found at intervals to be swayed according to the confidence or timidity of purchasers and investors. The rapid recovery from the panic of 1907 is attributed by many to the increased confidence which this increased organization has been able to produce.

Leaving now the gold and credit side of the equation, and coming to the commodity side, there are a variety of causes connected with the demand and supply of commodities all of which have their effect upon prices. Everything that enhances the demand, the supply remaining the same, is likely to increase prices; everything diminishing the supply and the demand remaining the same will have the same effect.

I have already made mention of the extravagance of the rich, and the increased ostentation in display, in some respects the criminal extravagance of our wealthy classes, and the great luxury, and higher level of living of all classes. Within a lifetime the scale of living in North America particularly in towns and cities has been revolutionized. The luxury of yesterday has become the necessity of to-day. For the very wealthy take automobiles alone. What is believed to be a fair estimate of the output in the United States for one year is 160,000, while the output for the past seven years is placed at over 400,000.

But to come to the standard of living of the average man. Our homes are more commodious, and better furnished than they were, equipped with all manner of conveniences unknown to our fathers. Electric light has taken the place of the kerosene lamp, furnaces have replaced box stoves; we travel, not on foot, but by electric car; children enjoy educational advantages which were not within the reach of their parents. Much shopping is done by telephone. Proprietary goods have taken the place of staple food products. Amusements and diversions have gained a hold on the people which they did not possess before. As a slight but forcible illustration of the difference in standards, let me mention one fact brought to light by the prices investigation conducted in the Department of Labour, to which I have already referred. The inquiry shows that there has been a marked 'lifting' of the popular taste in the matter of cotton goods. Some coarser lines of goods which were in demand twenty years ago are not now manufactured at all, there is no demand for them; the class buying such goods twenty years ago, now buy goods of better quality. The present goods cost more than those of the past, but they are as a matter of fact in most cases of considerably better quality. Unquestion-

ably a change in the standard of living has been brought about with the large increase in our scale of expenditure, an increase which the credit system has helped to enhance.

Intimately associated with the higher or more luxurious standards of living are the changed habits of the people resulting from and in marketing and distribution. To refer to only one we should denote the falling into disuse in all our larger cities and towns, of the old, central markets, and the necessarily increased cost of retail food distribution. Where purchases are made direct from the purchaser the additional middleman profit does not play so important a part, but where goods are delivered not only at one's door, but in preserved or canned form, some increase in price to meet the extra cost of service alone is inevitable. The fact that all retail trade is based on direct purchase from the producer must, unless the purchaser in the first instance is demanding too excessive a profit, entail some enhancement of prices. There are but few commodities to-day as compared with fifteen or twenty years ago, which householders purchase in any way other than through the retail dealer.

Particularly important in this country, however, is the other cause which has already been mentioned, namely, increased population, including immigration, and in this connection the increased demand for goods in remote, and inaccessible parts. Increased population means an increased number of mouths to fill; settlement in remote districts means increased difficulties in satisfying existing needs. Products have to be brought long distances, involving additional elements in handling, transporting, packing and commissions to middlemen.

Those causes are self-evident, but arising out of them are causes of even greater potency, though not as apparent at first blush. The estimated population of Canada according to the census of 1901 was 5,371,315. The estimated population at the beginning of the present year was over 7,000,000, an increase of approximately 53·75 per cent in less than ten years.

But what is even more important as accounting for the increased demand which has effected prices, is the enormous expenditure in connection with industrial expansion which has been going on, expenditures made very largely out of borrowed capital on railways, towns, public works, and other large undertakings. Corporations and governments, national, provincial and municipal have been particularly borrowing for investment or at least for expenditure in the country. According to Mr. B. E. Walker of the Canadian Bank of Commerce, the amount of foreign capital invested in this country in the year 1909, amounted to $200,000,000. Many of these enterprises have not yet become productive, hence they affect almost exclusively for the present, the demand side of the equation. The demand has been in the first instance for the materials consumed in the actual undertaking, then for the labour, and the commodities necessary to supply the labourers engaged upon the work, but the circle of industrial and trade activity once set in motion has gone on widening until it has reached all but the outermost edge of the community.

Reference has been made to farm labour. In that connection, one might quote many statistics to show just how considerable has been the increase in the cost of farm labour. But the increase in the cost of farm labour is only part of the general increase in wages throughout the Dominion. I have here a statement prepared in the Department of Labour, showing the rates of wages prevailing in the building trades in different cities of Canada from 1900 to 1910. In the city of Halifax, taking only the building trades, it would appear that the wages have risen for the different classes of labour in the building trades for those 10 years from 7 per cent to 42½ per cent, depending on the particular class affected. In St. John, the increase has been from 10 per cent to 42·6 per cent. In Montreal, it has been from 24 per cent to 83⅓ per cent for one class, the average being about 66 per cent for some of the higher classes. In Toronto, the increase has been from 16 per cent to 45 per cent, in Winnipeg, from 11 per cent to 64 per cent, in Regina from 25 per cent to 50 per cent, in Calgary, from 25 per cent to 68 per cent, in Vancouver, from 25 per cent to 66 per cent. These figures, taking all the classes in the building trades for these different cities, considering percentage of increase in wages, go to show an average increase of from 26·6 per cent to 55·9 per cent in the several localities or an average of 39·4 per cent, taking the whole, And with this increase in wages has gone a shortening in the hours of labour. Of course, the wage question and the price question are very closely associated. The increase in prices has made the working classes feel the necessity of getting an increase in their wages. They have the smallest income, and with the increase in prices brought about in this way they have had to supplement their earning capacity in some way, and so there has been this increase in wages throughout the building and all trades in Canada. On the other hand, the increase of wages has operated to increase prices. The employers, having to pay more for labour, have found it necessary to tack on something to the prices at which they were selling the goods, and so the two things, wages and prices, have followed each other in what has been described as an upward spiral relationship in 10 years. This in-

crease in wages in towns and industries has operated again on the wages on the farms. Wages being on such a high level in the cities men have left the farms to go into the cities, and in doing so they have not only diminished the supply of labour on the farms, but have created an extra demand in the cities for the produce which the farmer turns out, and in that way the farmer has been handicapped in part from two sides. It is really startling when we consider all these things to see how, while we have had all this great increase, this rise of prices in the city, this increased prosperity for different classes, the movement in some parts of the Dominion has been away from the farms into the cities. We have been getting more men on the land in the west. But let us take Ontario. Mr. James, the deputy Minister of Agriculture in Ontario, recently prepared an estimate of the population of the cities and towns of the province, and he estimated that while the population of the cities and towns had increased during the past decade by 295,400, there had been an actual decrease of 61,858 in the rural population. The rural population of Ontario decreased from 1,108,874 in 1899 to 1,047,016 in 1909, while during the same period the population of the cities increased from 901,874 to 1,197,274. Those figures of themselves would help to explain part of the difference of one of the causes of the rise in prices, and help to answer the question as to whether the farmer has or has not really gained all the advantage which has come from increased prices.

Mr. BLAIN. That is not a new condition of things as I understand it. The former census showed exactly the same thing for Ontario for the last 35 years.

Mr. KING. That would only go to emphasize the significance of that fact. If the farm labour had become relatively less in the previous years, it would, of course, intensify any effect which a reduction in farm labour at the present time would have.

There are other causes which might be mentioned also. There are causes which in the long run are going to be of great service to the mass of the people. For example, the widening of markets in different parts of the world. European countries were formerly receiving much of their grain from other countries than Canada; to-day they find the supply in these countries diminishing, while the demand is increasing at home, and they are looking to this country to supply them with the necessities of life in a larger measure than ever before, and with improved transportation and cold storage facilities, with commercial agencies scattered about in the world, the general policy of trade development which the government has taken up, there is bound to be a greater demand for the goods of this country, and as the demand becomes greater, naturally the prices, for the time being at least, will soar a little higher. But I think so far as the increases may be due to causes of that kind, it is an increase which is shared in by the comunity generally, and it is a price which I believe every citizen of the Dominion is prepared to pay as long as he can be assured it has been brought about through such legitimate causes.

There are other causes which might be mentioned, exceptional in their nature, such as the large expenditures in the last few years in connection with war and the preparation for war in different countries. We have had in the last decade three important wars, the Russo-Japanese war, the Spanish-American war, and the South African war. All of these wars have caused a large amount of capital, which might otherwise have gone into productive industry, to be diverted from it. And the expenditures and preparations which different nations have been making in the last few years in the way of preparations for war have also helped to remove from productive uses a certain amount of capital which might otherwise have been productively employed. Of course, one nation doing one thing necessitates a like action on the part of another, and in that way one nation cannot hope to escape part of the general toll which all nations are helping to exact.

That brings me to one other class of causes. The causes which I have mentioned are largely natural causes operating in accordance with the general run of things throughout the world. There are two classes of causes, closely associated, though somewhat different in kind, which I shall describe as artificial, because they are not absolutely necessary from one point of view although they may be of very great service from another. These causes are the tariff and the combines. The tariff undoubtedly contains the possibility of increasing prices, in this way, that it limits the field of competition over which the sale of goods may take place. If by a tariff wall you exclude commodities up to a certain point, naturally the possibility will arise of an increase in the price of some commodities produced in the country within the tariff wall. It does not follow that this will necessarily in the long run be injurious or harmful to any one; the effect of a moderate tariff may be to so stimulate industry generally that in the long run the people will be better off, having regard to their condition, than they weould be without it. I do not want to argue at the moment the advantages of tariff pro and con, but only to point out that we have on

this side of the Atlantic, so far as the United States and Canada are concerned, prices ranging at a much higher rate than they do in a free trade country like Great Britain, and the difference while not wholly attributable to these causes may be due in part to them, and this is one factor that should be considered. One feature that should also be considered is that where you limit competition from without and manufacture is carried on within by only a limited number of producers, a very strong inducement is put in the way of the men controlling these industries to unite their forces and to see that they get to themselves as far as they can, the full benefit of any increased price which the tariff may permit. A large number of persons have the impression that the tariff in this way has become responsible in part for the formation of these trusts and combines, and a large number of persons feel that what the trusts and combines have done has been to seek to gather within their own group the industries that are protected, and then to take care to see that the full advantage which the tariff gives them goes to themselves as a consequence. What we are seeking to do in this measure is to see that where an advantage comes to an industry through the tariff, the whole of that advantage shall not necessarily accrue only to the persons who are engaged in the manufacture, but that some of it should be reserved for the general public in whose interests, as a whole, the tariff has been framed.

That brings me then to the other phase of this question. I hope I have shown that this legislation, in so far as it relates to prices, is not based on a belief that trusts and combines are the sole causes of the increases in price that have taken place. The most that is urged in that connection is that trusts and combines may have caused and possibly are one of the causes in some cases for the increase in price, and if that can be shown in any direction, then the government, in view of the general feeling throughout the country, owes it to the community to give some means of finding out whether such a cause actually exists or not and if so of providing the necessary protection to the consumer.

Another point I would like to make clear is that trusts and combines may not be injurious, that in some respects they may be profitable. That is a point that has been raised. This legislation is in no way aimed against trusts, combines and mergers as such, but rather only at the possible wrongful use or abuse of their power, of which certain of these combinations may be guilty. To illustrate the possible advantage of these large combinations of capital, I shall quote an advertisement which I find in one of the local papers, relating to what is sometimes spoken of as a combine, the Canada Cement Company, Limited. I find in the 'Citizen' of December 11, 1909, the following advertisement:

WHAT IS THE CANADA CEMENT COMPANY, LIMITED?

Then it describes it as:

an amalgamation of eleven of the twenty-three cement plants as follows:—(enumerating them.)

It continues in large letters:

Note the territorial distribution of these plants—from the St. Lawrence to the Rocky Mountains. Obviously in a business where the demand extends from ocean to ocean, there are economies in filling orders from the nearest available plant instead of shipping half across the continent. This explains one purpose of the organization of this company.

Clearly what is stated in the advertisement is absolutely correct. There are obvious economies in filling orders from the nearest plant instead of shipping half across the continent. But the question the country is asking is: Where have we seen of the result of that obvious advantage? That is one of the questions which we hope this legislation will help to answer. In the Ottawa 'Citizen' of December 14, 1909, other advantages are set out in an advertisement headed:

Useful vs. useless competition.

It says:

But there is a form of competition that is wasteful, useless and harmful. To illustrate from our own business. If each of eleven cement mills maintains selling agencies in every part of Canada and ships its products to the most remote points, the aggregate cost on this score is obviously greater than if there were only one selling organization, and all orders were filled from the nearest mill.

Who pays the cost of excessive competition? Ultimately the consumer must pay it. Eliminating the excessive cost of this wasteful competition will enable business to be done at a reasonable profit with ultimate savings to the consumer through reductions in price.

These are obvious examples of the good which large consolidations of that kind could bring with them, and I think that if the public find they are getting some of the benefits of these obvious and inevitable consequences of large organizations, they will take no exception to them; but they want to feel sure that the machinery exists somewhere whereby they can be assured that they are getting, within reasonable bounds, some of the advantages which are so inevitable.

The Hamilton 'Times,' referring to the alleged projected merger to be known as the 'Dominion Canners' Association, Limited,' has the following:

In regard to the object of the merger, it is said by the manager of the Canadian Canners' Association, that the purpose is to keep the cost of productoin down, by which the consumer would also benefit. One of the reasons of the merger, is, he said, that competition had greatly affected the trade, the race having been for the cheapest product, but not the best. That would be overcome as more advanced methods would be applied and only the best produced, so that the public would be assured of the quality of what they received.

Similarly, an article in the Toronto 'Globe' of January 31, referring to the new combine to be known as the Amalgamated Asbestos Corporation, Limited, has the following:

One of the chief aims of the association will be the exploitation of the use of asbestos in fireproof construction.

There is no doubt that these large organizations have opportunities of furthering the business in which they are engaged that would not be open to a smaller concern. They have facilities to get into other markets, and if they use those facilities in such a way that the general public get some benefit out of it, as well as the organization itself, the public antipathy to them should be greatly lessened.

An article of the Toronto 'Star' of February 16, referring to the alleged combine of large firms engaged in the fish business on the Atlantic coast, has the following:

The authorized capital of the new company will be $1,000,000, and it will aim to make the fresh fish business of Nova Scotia of national importance. The Bank of Montreal is behind the scheme, and controls the Atlantic Fish Company.

Clearly it is the interests of the fish trade on the Atlantic coast to in every way get for its product as large a market as possible. The more the fish business is developed in the maritime provinces, the better it should be, other things being equal, for the people of these provinces, and the more you look into the question of these organizations the greater the reason for belief in the possibility of good to the consumer provided there be some means of effective control.

Mr. HODGINS. The hon. gentleman mentioned the Canada Cement Company. I might say that in November last the International Cement Company of Hull were charging $1.50 per barrel of cement delivered at the railway station in my place, but as soon as the merger was formed the price was raised to $2.09 per barrel. I simply mention this in order to draw the attention of the House to the effect which such mergers are likely to have.

Mr. KING. That information has come to me from other sources. In speaking with some gentlemen associated with this merger, they contended that the cement people were being much misrepresented in popular opinion, and that if the public could see what had taken place, they would be perfectly satisfied that no unfair profits were being charged. I propose to let any company which has reasonable ground for believing that the public is under a misconception have the facts brought out so that the public may be in a position to form an accurate opinion. If the consumers feel that they are not getting justice, we ought to give them an opportunity of finding out whether or not the facts justify their beliefs. These are some of the advantages claimed for the trusts, and it will be to the public interest that, in cases where the public consider they are not being fairly treated, the evidence as to the facts should be made known.

Perhaps no one has given a more thorough study to the whole question of trusts and combines than Mr. Jeremiah W. Jenks of the United States, professor of Cornell University, and who for some years was an expert agent of the United States Industrial Commission. Mr. Jenks has also been engaged in several important investigations for the American government. On this question he is recognized as the leading authority on this continent at present. In his book entitled 'The Trust Problem' he states what are the main advantages of trusts, and in considering this legislation it would be well to place his views on record in order that the public may not be mistaken as to the attitude in which this matter is being approached by the government. On pages 212 and 213, Professor Jenks says:

Combination saves a waste of capital by the prompt abandonment of poor or badly situated plants and the concentration of energy in the best ones which can be run to their full capacity and all of the time; by making the best possible use of waste material through the production of by-products; by pushing, often at much expense, markets into new fields, both at home and abroad, through the employment of the ablest men and the best advertising devices, which could not so well be afforded by smaller institutions. There is great saving of energy in the elimination of cross freights; in the best possible division of labour, and in the organization of correlated branches to the best advantage; in the securing of the best ability to manage industries; in making the best distribution of managing ability, giving each person the work for which he is best adapted; in furnishing opportunities fit for the employment of the greatest capacity in all fields of business management, opportunities which could not be furnished without the enormous power that comes from the concentration of capital.

Similarly another authority on Trusts, Mr. Wm. E. Collier, sets forth the results of his experiences. Mr. Collier is New York state civil service commissioner, and has made a complete investigation into this

phase of industrial development. At page 3 of the preface, Mr. Collier says :

The great advantages of mammoth business organizations should not be overlooked. Such organizations are necessities in the present condition of American industries. They seem to be the only effective agencies whereby we can develop our much needed foreign markets, whereby we can dispose of our surplus products, and thus give constant employment to our workers and toilers. Much of our anti-trust legislation has overlooked this fact. There is, indeed, a danger that in our attempts to stop monopolies we may cripple our productive energies and stifle enterprise and bring our country into a condition of industrial degradation and into bankruptcy.

The same writer, at page 300 of the same volume, cites other advantages:

We are living in a day of great things. Business opportunities are gigantic, industrial undertakings are enormous, commercial projects are vast, and great business organizations have become a necessity since the dawn of industry, there has been a constant tendency for them to increase in size. Next, the present system of business is characterized by excessive competition, there seems to be a tendency to carry the struggle of competition to such an extent that it becomes injurious to the consumers as well as ruinous to the competitors themselves. Modern competition is destructive and self-destructive; it has a tendency to end in monopoly itself. Modern competition if often unreasonable, and if it were not for the possibility of unreasonable restraints, agreements for its discontinuance would command themselves to the public as being highly proper. Consolidation and combination render possible cheaper production and infinitely cheaper distribution; the competitive system is so expensive in its operation that the price we pay for many articles is far in excess of the cost of actual production plus what would be a fair profit, if the best and most perfect methods of organization were adopted. There are gigantic evils resulting from the lack of regulation of industry; consolidation makes possible a better control and will enable those adopting this form of organization to sell goods at lower prices.

If matters were to end there, we would probably have no need for the kind of legislation we are now introducing. The advantages of large combinations of capital are so obvious, that, I say again, if these large combines had regard to the public interest as well as to the private interests of their shareholders, there would be no need of any legislation to watch or control their operations. Unfortunately, human nature being what it is, we cannot believe that these organizations consider primarily the good of the nation as a whole as opposed to the interests of those whose capital is in their hands; and it is the business of the government, therefore, to see that no private interests shall be allowed to operate against the public good. Where, through the development of an industry, or other cause, we have the growth of a great power in the hands of individuals, with the possibility of that power being used to further private ends at the expense of the public good, there is the strongest demand on the government to see that the interests of the community are protected.

I was asked further if we had any reason for believing that any of these combines were operating in a manner detrimental to public interest. I replied that I did not wish to make any individual charges one way or the other. But the government is forced to recognize such representations as come to it from reliable sources.

On February 26, 1909, a deputation waited upon the hon. the Minister of Finance, and the right hon. the Minister of Trade and Commerce, with a view to invoking the aid of the government of Canada in the control of combines. The deputation, accompanied by a number of members of parliament, included Mr. F. C. Drury, master of the Dominion Grange; Mr. James McEwing, M.P.P.; Mr. H. J. Pettipeice, ex-M.P.P.; Mr. J. W. Currie, K.C.; Mr. W. L. Smith, editor of the 'Weekly Sun', and Mr. J. Woods, of Gordon McKay & Co. I shall not read the memorandum at length, but simply say that these gentlemen represented that there was an inevitable tendency, as a consequence of the tariff of this country, towards consolidation in the shape of trusts and combines, and that they had reason to believe that, in a very large number of industries in this country, such combines were operating to the detriment of consumers. They cited a number of commodities produced, and went on to state that there were at least one hundred trade combines in Ontario which were collecting in the aggregate millions of dollars per year in the form of exorbitant profits. They also urged that the government should take further action towards the control of these combines, and pointed out that their representations had been also voiced by the newspapers of all shades of political belief, the Orillia 'Packet'; Windsor 'Record', Woodstock 'Sentinel-Review', Hamilton 'Herald', Calgary 'News', London 'Advertiser', St. Thomas 'Journal', Moncton 'Transcript', and that other papers had been particularly outspoken. Organized bodies such as the Dominion Grange, they further pointed out, had also pronounced upon the matter, and, by formal resolution, had called for the relief which the situation demanded.

Then hon. gentlemen will remember that some few years ago there were certain disclosures in Toronto, arising out of prosecutions which were begun under the Criminal Code regarding a number of combines, which, it was alleged, were then carrying on their business in a manner detrimental to the interests of the people.

I might remind the House of the select committee of inquiry into the question of trade combines appointed as far back as 1888. That committee, during a sitting of two and a half months, discovered the existence of thirteen combines which, it represented, were not operated wholly to the advantage of the people, but were taking a rather unfair advantage of the organizations they had formed. Then we have had in the last few years several cases in the courts in different parts of the Dominion brought against parties alleged to be interested in these industrial combines.

I might refer to one or two extracts which set out the other side of the case. I have referred to the advantages which these trusts may exercise. Let me now point out briefly the disadvantages. When the subject was discussed some years ago, my hon. friend from East Grey (Mr. Sproule) read from a pamphlet written by Mr. Wm. W. Cook of New York, and I would like to put the extract which he read before the House again as presenting another point of view:

> The modern trust is a monopoly in its purpose, its plans and its culmination. It is a combination that strikes down all competitors. The parties combine to control the market and to control it without competition.
>
> To all these the public at each end of the industry, the producer and consumer is, and is intended to be, in a certain sense at the mercy of the syndicate or combination. The main purpose, management and effect of all upon the public is the same, to wit: the aggregation of capital, the power of controlling the manufacture and output of various necessary commodities. The acquisition or destruction of competitive properties all leading to the final and conclusive purpose of annihilating competition and enabling the industries represented in the combination to fix the prices at which they would purchase the raw material from the producer, and at which they would sell the product, refined or useful, to the consumer.

Mr. Jenks, in the book from which I have quoted, giving the advantages of these large combines, has given, at page 213 a summary of the disadvantages. In this connection he points out as follows:

> Enormous as these benefits to society may be from this better organization of capital under the new regime, no less pronounced are the evils. (1) Investors of capital are often grievously wronged through concealment of facts and deception practised by promoters and directors at the time an industry is organized, and, later, through misrepresentation of the condition of business and methods in which a business is carried on.
>
> (2) A second class of persons injured is that of the stockholders. Directors not infrequently manage the business in their own interests, regardless of those of the stockholders. At times it is really made less profitable, or is so managed as apparently to be less profitable, in order to depress the stock on the market and to enable the directors through gambling speculations to reap large profits.
>
> (3) Persons, not members of a corporation, may be injured as consumers by high prices, which can be kept high, provided the combination can secure monopolistic power. The temptation to keep prices above former competitive rates, is, of course, greatly increased when the corporation has issued large amounts of watered stock.
>
> (4) The producer of raw material may be injured by low prices, which the combination, by virtue of its being the largest, if not almost the sole buyer, can compel the producer to accept.
>
> (5) The combination may so increase its power as to injure the wage earners by compelling them to accept lower wages or to work under less favourable conditions than would be granted by competing concerns. So, too, the power exercised, apparently arbitrarily at times, of closing part of the plants to avert a strike, or even to affect the stock market, is dangerous.
>
> (6) It may happen at times that the larger organizations will exert so powerful an influence on our political organizations that the purpose of the state will be directed away from the common weal.
>
> (7) The mental tone of the business community may be lowered by depriving individuals of the privilege and of the power to enter independently into business as readily as could be done were capital less concentrated.
>
> (8) And, again, the moral tone of business may be lowered. If the larger organizations employ unscrupulous methods in dealing with competitors, or customers, or labourers, their greater power, especially if it is great enough to give them a partial or complete monopoly for a time, will have a much more detrimental influence than the same acts of an individual, both on account of the range of its application and of the more powerful influence of its example. . . The power of the manager of the large corporation is greater, and the injuries. both economic and moral, to the public from his selfish acts may be much more severe.

So you see, from the extracts I have read, that this writer, who speaks from a very wide range of experience, sees possibility of evil from these large organizations to all classes—investors, stock holders, consumers, producers, wage earners, political organizations and the mental and moral tone of the business community.

It is apparent that no single act can hope to cope with all these possible evils, and the most that can be reasonably expected is that individual forms shall be dealt with as the special need asserts itself. In this legislation it is the interests of the consumer and producer, rather than the interests of the investor or stockholder that it is hoped to protect.

Sufficient has been shown to make quite clear that through large combinations of capital, in the form of corporations of one kind or another, enormous power has become concentrated in the hands of a few

men; that the faculty for forming combinations increases as the scope is narrowed, and that that power becomes more easily wielded as the numbers controlling it become fewer. At the same time this consolidation of power in the hands of a few, has lessened their personal responsibility for the proper use of that power; sense of personal obligation to the community becomes submerged in vast corporate entities. The possible resulting abuses call for some restraint that shall take the place of the old personal obligation. Government supervision and publicity must be that substitute. The man who conducts a small business thinks of the obligation he owes to his customers and to the community in which his small business is carried on. Too often, it happens that engaged in one of these large organizations, the persons so employed think only of their obligations to the corporation which employs them, it is so vast, its demands absorb all their attention. A sense of obligation to consumers or society generally is lost. This makes it imperative upon the government to safeguard the community against undue encroachments on the part of these powerful concerns.

But there is an additional reason for government supervision and publicity at the instance of the state. The form of organization which enables wealth to become concentrated in the hands of a few, and secures great commercial powers to these few, is itself rendered possible only through conditions created by society, of whose interests the state is the guardian, and by the direct agencies of government itself.

All organization on a large scale is alone rendered possible by the peace and security which the state assures, and in the maintenance of which the heaviest expenditures of government are incurred. Without the concessions made by the public, and guaranteed by the state, the agencies of transportation and communication, the railway, the telegraph, and telephone, the postal service, could not exist for a day, and the fact that personal responsibility, in the case of these large organizations, tends to become less, is a very strong reason why the government should step in and see that something is established in the nature of a control which will bring back that sense of responsibility to the public which every one engaged in any industry should experience and exercise.

I would like to point out the relation which the legislation we are introducing bears to that adopted in other countries. In the first place the government has sought, in the Bill brought down, to avoid some of the limitations which experience has shown to have been prejudical in the case of some legislation adopted in other lands. For example, take the experience of our neighbours to the south. The Sherman Anti-Trust Act was introduced about twenty years ago. The United States has had the experience of that legislation for that period of time, and their experience ought to be helpful to us; it ought to be helpful at least in preventing us from making the mistake which they have admittedly made. The great mistake which was made by the Sherman Anti-Trust Act, and a mistake which has been made I think in discussions on the subject even in this House, has been that the measure was aimed against trade combinations as such. In looking over the debates that have taken place in this parliament I find that speaker after speaker has said that these combinations must be stopped, we must put them down, we must have legislation that will suppress them. Now, that is ignoring altogether the inevitable tendency of the present day, which is consolidation and co-operation of forces, for one cause or another. Section 1 of the Sherman Act reads:

> Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanour, and, on conviction thereof, shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

The effect of that legislation was that for the first few years, under the Harrison administration, the courts interpreted the law as meaning, and no doubt that is what the framers had in mind, that a combination had to be formed with the deliberate intent of limiting competition against the public interest, and unless intent could be proved, the Act became of no service. Then a decision was given in an important case, the Trans-Missouri Freight Association case, in which the Supreme Court held that the matter of intent was secondary, that all it was necessary to prove was that the combination existed, and that would bring the parties under the law: That interpretation actually made nine-tenths of the business of the United States illegal, and the courts found that unless they were going to make the law ridiculous altogether, it was better to leave it alone. The effect was this, that when it was realized that a trust in the nature of two or three concerns operating together under a joint agreement was an illegal thing, the lawyers at once got to work and said: Let us form 'holding corporations', instead or having these agreements, let us bring our forces to-

gether and have one concern. The result was the formation in larger numbers than had ever been known before in the United States of these great aggregations of wealth into one concern. Then came the Roosevelt administration, in which the one concern itself was held to come under the Sherman Anti-Trust law, and we all remember the experience the United States had in trying to work out the law under that interpretation placed upon it by the courts in the case of the Northern Securities Company. In effect this decision outlawed every industrial concern of first importance. They tried then to make a distinction between the good trust and the bad trust. The administration claimed for itself the right to say that a certain trust was good and really did not come under the Act, and another trust was bad and should come under the Act. This has been the history of that legislation up to the present time. Since President Taft has come into power he has had to be his own interpreter in a measure, and has had to say frankly that the Act as interpreted by the courts would put out of business nine-tenths of the concerns in the United States, and that so far as his administration was concerned they were not going to administer the law according to the interpretation the courts have given it, but according to their own interpretation. Now that is a kind of error which this parliament should seek to avoid; let us not place on the statutes any act which will necessitate a contradiction between the wording of an act itself and the interpretation of those who administer it.

Mr. R. L. BORDEN. I do not quite understand how they administer it on a different principle to that which the courts have adopted.

Mr. KING. They do it in this way. The federal government enters the prosecutions, and the federal government has refused to take up any prosecutions unless its own interpretation is satisfied in the first instance. I will read on this point an extract from President Roosevelt's message to Congress in 1906:

> The actual working of our laws has shown that the effort to prohibit all combination, good or bad, is noxious where it is not ineffective. Combination of capital, like combination of labour, is a necessary element in our present industrial system. It is not possible completely to prevent it; and if it were possible, such complete prevention would do damage to the body politic. What we need is not vainly to try to prevent all combination, but to secure such rigorous and adequate control and supervision of the combinations as to prevent their injuring the public, or existing in such forms as inevitably to threaten injury. . . . It is fortunate that our present laws should forbid all combinations, instead of sharply discriminating between those combinations which do good and those combinations which do evil. . . .

There is a curious admission for the chief executive of a great nation, that their present laws forbid all combinations instead of sharply discriminating between those who do good and those who do evil. President Taft found, I think, that he would be undertaking more than he cared to handle in this endeavour to distinguish between good and bad trusts; because in his special message to Congress on January 7, of the present year, he gives his interpretations of the law, and has something to say about distinguishing between good and bad trusts:

> The increase in the capital of a business for the purpose of reducing the cost of production and effecting economy in the management has become as essential in modern progress as the change from the hand tool to the machine. When, therefore, we come to continue the object of congress in adopting the so-called 'Sherman Anti-Trust Act' in 1890, whereby in the first section every contract, combination in the form of a trust or otherwise, or conspiracy in restraint of inter-state or foreign trade or commerce is condemned as unlawful and made subject to indictment and restraint by injunction; and whereby in the second section every monoply or attempt to monopolize, and every combination or conspiracy with other persons to monopolize any part of inter-state trade or commerce, is denounced as illegal and made subject to similar punishment or restraint, we must infer that the evil aimed at was not the mere bigness of the enterprise, but it was the aggregation of capital and plants with the express or implied intent of restrain inter-state or foreign commerce, or to monopolize it in whole or in part.

Mr. J. HAGGART. How are you to find out the abuse of the combination?

Mr. KING. By investigation, I think investigation is the only way—where there is a prima facie reason for believing that the combination is doing injury, and I can think of no other method of discovering whether that assumption is correct. But I will go into that point later. The President continues:

> The object of the anti-trust law was to suppress the abuses of business of the kind described. It was not to interfere with a great volume of capital, which, concentrated under one organization, reduced the cost of production and made its profit thereby, and took no advantage of its size by methods akin to duress to stifle competition with it.
>
> I wish to make this distinction as emphatic as possible, because I conceive that nothing could happen more destructive to the prosperity of this country that the loss of that great economy in production which has been and will be effected in all manufacturing lines by the employment of large capital under one management.

Elsewhere:

It is the duty and purpose of the executive to direct an investigation by the Department of Justice, through the grand jury or otherwise, into the history, organization, and purposes of all the industrial companies with respect to which there is any reasonable ground for suspicion that they have been organized for a purpose, and are conducting business on a plan which is in violation of the anti-trust law. The work is a heavy one, but it is not beyond the power of the Department of Justice, if sufficient funds are furnished, to carry on the investigations and to pay the counsel engaged in the work.

So that the United States, after an experience of twenty years, has come now to the conclusion that the only manner in which to deal with large combinations, as President Taft says, where there is any reasonable ground for suspicion that they have been organized in a manner which violates the anti-trust law, is to investigate and find out whether or not, as a result of that investigation, the suspicion is well founded:

Many people conducting great businesses have cherished a hope and a belief that in some way or other a line may be drawn between 'good trusts' and 'bad trusts,' and that it is possible by amendment to the anti-trust law to make a distinction under which good combinations may be permitted to organize, suppress competition, control prices, and do it all legally if only they do not abuse the power by taking too great profit out of the business. They point with force to certain notorious trusts as having grown into power through criminal methods by the use of illegal rebates and plain cheating, and by various acts utterly violative of business honesty or morality, and urge the establishment of some legal line of separation by which 'criminal trusts' of this kind can be punished, and they, on the other hand, be permitted under the law to carry on their business. Now the public, and especially the business public, ought to rid themselves of the idea that such a distinction is practicable or can be introduced into the statute.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. KING. When the House adjourned, I was referring to the legislation affecting trusts and combines in other countries and speaking more particularly with reference to legislation in the United States. I shall spare the House a detailed description of legislation in other countries. I would briefly mention that in England trusts are held to be illegal only where competition is shown to have been wholly removed or prices raised excessively. In such a case the combination is antagonistic to the English conception of freedom of trade, and is consequently judged as void. From this it follows that the decision, whether the combination has the force of legal contract or not, depends according to the English court upon the merits of each case. But while the law in England and on the continent has left the development of trusts to be shaped by economic conditions, it is guarding more and more closely the incorporation and supervision of corporations.

Mr. J. HAGGART. In England can you not punish a corporation for enhancing prices?

Mr. KING. By common law.

Mr. J. HAGGART. Forestalling the market.

Mr. KING. Precisely. Under the French law, combinations of the principal producers in any line with a view of controlling prices are illegal. The law has not been rigorously enforced in recent years, and such combinations are numerous; but in their control of prices they are far less successful than the American trusts.

The law of Austria declares agreements designed to create a monopoly void.

The German law recognizes the validity of cartel agreements, even if such agreements result in power to control prices. If, however, the prices fixed are unreasonable, the combination is subject to an action for extortion.

Every incorporated company (in Germany) which operates independently, or as a member of a syndicate, is, from the moment of its organization, under the control of the law of corporations, a statute that reaches to every detail of corporate organization and management; compels the periodical publication of statements showing the exact condition of the company's affairs; makes its books and assets subject to official inspection at all times, and holds directors and officers rigidly responsible for every breach of trust.

A statute entitled 'The Australian Industries Preservation Act, 1906,' has been enacted by the Commonwealth of Australia to secure at once the repression of monopolies and the prevention of dumping. The statute, as its title suggests, does not attempt the suppression of all trusts and combinations, but is aimed only at those which are to the 'detriment of the public.' By this statute it is forbidden to enter into any contract or engage in any combination in relation to trade or commerce with other countries or among the states of Australia (a) with intent to restrain trade or commerce to the detriment of the public; (b) with intent to destroy or injure by means of unfair competition any Australian industry, the preservation of which is advantageous to the Commonwealth, having due regard to the interests of producers, workers and consumers. Under the statute competition is declared to be unfair,

unless the contrary is proved, if the defendant is a commercial trust. In this way the onus is thrown upon the trust to prove that it is not unfair.

If I have made myself clear, I shall have shown in regard to the attitude of the government in this matter that it is not assumed that combines are wholly responsible for the increase of prices, that combines, in other words, may be one cause; in some cases they may not be a cause, but there is a strong reason for believing that in certain cases, combines have contributed to the enhancing of prices unduly. In the second place, there is the attitude towards combinations themselves. I have tried to show that this legislation is not brought in with a view to aiming at the formation of combinations as such, but rather a controlling of their actions, so that they may not unduly embarrass or interfere with the rights of the general public. We have sought to avoid the errors which have exhibited themselves in the legislation of other countries. We have tried to avoid the error which the United States have experienced in going too far in one direction, and on the other hand, to avoid being drawn into another extreme position such as has been found in the operation of legislation in Australia. Finally, in regard to the public, I hope I have shown that the main purpose of the legislation is to help to conserve to the general public some of the advantages which these large aggregations of capital are capable of rendering, not only to those whose capital is invested, but also to the whole community, that this constitutes strong reason for the state exercisng some control. Sometimes we hear it said that the government of a country by interfering in the matter of these large industries is practically standing in the way of the growth of large combinations, that it is too much of an interference, and that, as a matter of fact, it is more the genius of individuals which is responsible for the great success of these large corporations than any other cause. In that connection, it might be well to point out in the public interest that there are material contributing causes on the part of the community itself. Were it not for the services which the country as a whole renders, and of which these large corporations take advantage, the services of any genius, however great, would not suffice to ensure the success of any corporation. What progress, for example, would a combination make but for the peace and security which is secured at the expense of the state, or but for the facilities of transportation, the banking facilities, the security in the matter of credit, transportation across the Atlantic, the markets which have been secured through commercial agencies and all these different factors for which the state is primarily responsible or for which the credit is due to the state. So, when we take account of the large services which the state as a whole is rendering, and when we consider further, that but for the army of producers making up a nation and the army of consumers, after all, the people of the nation, no combination on earth could exist for a week, we begin to see another set of circumstances why the government of a country, representing the people of a country, should seek to see that any advantages which may accrue from these large aggregations of capital should in part be conserved for the good of the people as a whole.

It remains for me to speak of the place which the proposed legislation holds in the scheme of legislation already enacted by this parliament, and that brings me first of all to the central features of this Bill. The Toronto 'Star' has given a good deal of attention to this subject, more than any other journal in Canada. A year or two ago every second issue contained some article dealing with this subject of trusts and combines. In one of these articles we find an outline of what, according to that paper at least, is the kind of machinery which is necessary to effectually control these large organizations. I find in an article in the 'Star' of October 30, 1908, the following paragraph:

> When there is reason to suspect the existence of a combine it should be the duty of the government to provide for an immediate inquiry into the facts, at the expense of the government. With a prima facie case established, the next step should be for the government to order an open and official inquiry, and where a combination is shown to exist, immediate relief should be given through the form provided by law by a reduction in, or entire withdrawal of, the protection accorded.
>
> If a consumer is to be denied the benefit of foreign competition he must at least be assured against the creation of combines which prevent competition among home manufacturers and dealers.

In that paragraph will be found the essential features of the present legislation. What the government is aiming at in this measure is, first of all, to provide a means whereby when there is reasonable ground for believing that a combination exists which is unduly enhancing prices or unfairly restricting trade, the consumers, represented by a group of their number, may make out a prima facie case before a judge of the High Court, and if a prima facie case is made out in this way, an investigation may be ordered by the judge, and if so ordered, must be carried out at the expense of the government. In order that an investigation of the kind may be as impartial and as fair as possible, the measure provides that each of the parties interested in getting at the truth or having

the truth known may be represented on the board of investigators. In the first place, the parties who have preferred the complaint will be asked to name their representative, the parties complained against will be asked to name their representative, and these two representatives, chosen in this fashion, will be called upon to choose as the chairman of the Board of Investigation, a judge of some court. In the event of either of the parties failing to name an individual member of the board, or in event of the two members failing to agree upon a judge as chairman, then the government will make the appointment of the person needed to complete the board. In this way it is hoped to fashion a board of investigation composed of experts from both sides, who will have the power to examine into all facts having a bearing on the case, and to make their report. The essential feature of this measure is that it provides this means of getting at the truth before giving publicity to the facts. It has an important industrial and social bearing, its machinery is simple, and it has been constructed with a view to being absolutely fair and impartial to both sides. If, as a result of an investigation by one of these boards, it is shown that a combination exists and has operated in a manner adverse to the public interest, the measure provides certain remedies which may be applied; and I think it can be shown that by the machinery provided by this legislation any limitations or defects which are to be found in the law as it stands today will be supplemented or rectified.

It is now desirable to briefly outline the place which this legislation holds in the scheme of legislation already devised by this parliament to deal with the evil or possible evil which this measure seeks to remedy. This will occasion a brief historical retrospect. In the speech from the Throne it was stated that the legislation to be introduced was to render more effective existing legislation. If we omit such legislation as has to do with the control of railway rates or the like, and confine ourselves to that which has been aimed more particularly at combines, trusts, etc., this legislation will be found to be embraced in sections 496, 497 and 498 of the Criminal Code. These sections embody the legislation enacted originally in this parliament in 1889 for the prevention and suppression of combinations formed in restraint of trade. The next legislation is the combines clause in the Customs Tariff Act, assented to on June 29, 1887, as amended by an act respecting the duties of customs of 1907, 6-7 Edward VII., Chap. 11, assented to on April 12, 1907; and lastly, there is an Act to amend the Inland Revenue Act, 4 Edward VII., Chapter 17, assented to August 10, 1904.

Many members of this House will remember the interest taken by the late Mr. Clarke Wallace in the subject of trusts and combines. When he was a member of this House he brought the question up, and at his instance a select committee of the House of Commons was appointed to take evidence on the question and to examine into the need of legislation on the subject. That committee did its work in a very effective and thorough manner. I think Mr. Wallace was the chairman of the committee, and great credit is due to him for the exceptionally able and thorough way in which the inquiry was conducted. A large number of witnesses were called and examined, and a report, a copy of which I hold in my hand, of between 700 and 800 pages, was presented to the House. The interesting feature of that report is that although the committee sat for only two and a half months, they were able during that short time, to disclose to the country the existence of some thirteen different combines. I will not read what the report has to say, but hon. members will find it worth their while to peruse this report and to see just what the results of investigation in this way are likely to be. No stronger evidence in support of the measure which the government is bringing down at the present time could be had than is to be found in this very report. After all, the essential work of that select committee was investigation. In their report the committee were able to put out something pretty substantial. Not only that, but an examination of the report will show that while the committee were at work, some combinations which were believed to be operating to the detriment of consumers in this country ceased their operations to avoid the publicity which an examination before that committee would entail. It was also shown by Mr. Wallace, when he spoke on the subject in the House the following year, that a combine which had existed during the time the inquiry was taking place, as a consequence of the publicity given through that inquiry, ceased to keep up its prices unduly. If we refer to page 5 of the report of this committee, we shall find that they found that a large combine existed among coal dealers in both Ottawa and Toronto. Speaking of the results of this investigation on the second reading of the Bill, Mr. Wallace said:

> We find that these coal organizations are still in existence, we find the organization in Toronto and we find it in Ottawa, but in Ottawa public opinion has been brought so strongly to bear that coal which was sold at $8.50 a ton during the whole winter of 1887 and 1888 was sold at about $6 or in some cases $5.75 a ton during the present winter (1889). We know that the price of coal in the United States was almost the same this year as last year, and that the cost of freight was almost precisely the same, and the fact of coal being sold in Ottawa for at least $2.50 per ton less shows either that the deal-

ers were very magnanimous or generous this year, or that they were robbing the public last year.

It is to be noted that there were no prosecutions in this connection. The result was brought about simply through the force of the report of the committee of the House of Commons influencing public opinion; and it is to be noted further that Mr. Wallace credits public opinion with the whole result.

A word as to the significance of the sections in the Criminal Code which come down to us from the legislation introduced in the House by Mr. Clarke Wallace in 1889. Gentlemen opposite may be inclined to assert that much credit is due to the party to which they belong from having been the first to enact legislation to deal with trusts and combines. I am prepared to concede high praise to the late Mr. Clarke Wallace for the earnest, and diligent manner in which he helped to bring this subject to the attention of parliament, and the country, and in particular for the able manner in which he presided over a special committee appointed by the House on his recommendation, to inquire into the nature, extent and effect of certain alleged trade combinations. This committee appears to have done its work expeditiously and thoroughly, and no stronger case could be made out for the desirability and advantage of investigation as a means of dealing with combinations and trusts, or of the effects of publicity in desiring to remove the evils incident to these large organizations than the work and report of this committee. It might have been expected that as a result of this inquiry and all that it revealed of the merits of investigation, and publicity alike, the government of the day would have seized the one obvious conclusion of the whole inquiry, and have brought in a measure making provision for the exercise, as future conditions might require, of these powers of inquiry and publicity which had proved so effective in the inquiry and publicity which had proved so effective in the inquiry just concluded. Instead of this, however, the government contented itself with the measure which has come down to us as part of the Criminal Code.

In regard to this measure, it is to be noted that in reality it enacted nothing new, but was merely declaratory of the law as it stood, and had stood for years before the question had ever been one of concern to the administration. This was very clearly brought out by the late Hon. David Mills, at that time member for Bothwell, and who subsequently became Minister of Justice, and I must add was as clearly, and candidly admitted by the late Honourable Sir John Thompson, the then Minister of Justice, who had charge of Mr. Wallace's Bill.

Referring to 'Hansard,' page 1437 of the debate which took place on April 22, 1889, it will be seen that Sir John Thompson spoke as follows in reference to the Bill:

> I think it is, as the honourable gentleman (Mr. Mills) has said, mostly declaratory of the common law. . . . It frequently is the case to declare the common law with respect to matters which are offences. . . . . I have said candidly to the honourable gentleman who has had charge of this Bill from the first that I think his Bill, as now framed, would add no new penalty, no penalty which could not already be inforced, and will not create any new offence.

So far, therefore, as the contribution by gentlemen opposite to legislation affecting trusts, combines, monopolies, and mergers is concerned, it might be well to keep in mind the words of the late distinguished Minister of Justice and Prime Minister that it added 'no new penalty, no penalty which could not already be enforced, and will not create any new offence.'

But if I were to go further and examine more closely the effect of this legislation, I would be forced to argue that it is at least questionable whether its existence on the statutes has not operated rather as a protection, or shield to individuals in their endeavours to make unfair exactions from the public and consumers through the medium of large organizations of capital in the nature of trusts and combines; that, instead of being a deterrent factor, it has actually served as an aid to the possible machinations of these powerful concerns. It has done this by succeeding in large measure in stifling investigation and publicity, the first of all essentials in arriving at the existence of improper practices and methods, and of effectively restraining them.

That Sir John Thompson was right in his opinion at that time was apparent when the subject came up for discussion some years later. The hon. member for East Grey (Mr. Sproule), in moving the first reading of his Bill of 1899 to amend the combines clause of the Criminal Code, said that he was seeking these changes:

> For the simple reason, we are told, that it would be impossible under the existing law as it stands to secure a conviction of any persons guilty of combining in restraint of trade. It would put upon a prosecutor the onus of proving a great many things which it would be very difficult to prove. How can one prove what unduly enhanced the price or restrained trade. . . . This law has been on the statute-book many years, and efforts have been made from time to time to get the attorneys general of the provinces to prosecute under the Act, and several times applications have been made to private individuals to do so, and they all raise the same objection that it would be impossible to secure a conviction under the law as it reads.

The hon. member might have quoted at that time as a true phophecy the words of the Hon. Sir Mackenzie Bowell, who, in speaking on July 17, 1889, on the proposed amendments to the Criminal Code, said:

You are enacting a law which, like some others, will be very harsh in its character if literally interpreted, and will, therefore, become a dead letter.

I think I have shown the House that the legislation of 1889 has not been effective in dealing with the evil of trusts and combines, but that, on the contrary, its real effect in some cases has been to prevent investigation which would otherwise have taken place. The necessity of branding as criminals any body of men joined together for commercial purposes before you find out whether or not they have been guilty of a criminal offence, is a step which many a man will hesitate to take, no matter what grounds he will have for believing such men to be guilty of a public wrong. There is no doubt that this necessity has prevented many an investigation which would have been in the interest of the public. Therefore, this measure does not propose to place these parties in the position of defendants in a criminal court, but treats them as persons whose business for the time being is being examined into just as is the business of a railway company or a bank to-day to see whether or not it is being carried on in a fair and proper manner.

I will not say any more with regard to the sections of the Criminal Code, but will pass on to the next step in legislation by this parliament. In 1897, just a year after the present government came into office, new legislation was enacted in the tariff resolutions. That legislation is to the effect that whenever the Governor in Council has reason to believe that a trust, combine or association exists among manufacturers, which is unduly enhancing prices, he may appoint a judge to conduct investigations into the business of the alleged combines; and if it be found that a combine does exist and is benefiting by the existence of the customs tariff, at the expense of the public, that the tariff may, either in part or in whole, be modified so as to offer to the consumers that redress to which they are entitled. This legislation marked a very material step forward. There are certain evils which, it is easy to believe, can be better removed by publicity than by penalty. There can be no doubt also that, in many questions of this sort, the bringing to bear of a certain amount of publicity cannot fail to have a beneficial effect. Therefore, the legislation of 1897 looked rather to the interests of the consumer than the punishment of the wrong-doer for a particular class of wrong-doing, and from that legislation we have had some beneficial results. The House will remember that a few years ago the Canadian Press Association claimed that there was existing among the paper manufacturers and dealers in this country a combine which unduly enhanced the price of paper. That complaint was brought to the attention of the government by a resolution from the Canadian Press Association of May 18, 1900. The complaint was considered by the Minister of Finance, and an order in council was passed on April 22, appointing the Hon. Mr. Justice Taschereau as a commissioner to ascertain whether such a dangerous association or combine did exist. The commissioner presented his report on November 27, 1901, and found that a combine existed which was illegal 'both by the express enactment of the customs tariff which forbids the act complained of and authorizes direct government action if it is committed, and by section 220 of the Criminal Code, to say nothing of common law on the matter.'

The report of the commissioner, having been placed before His Excellency in Council, an order in council was passed in February of the following year reducing the duty on news printing paper from 25 per cent to 15 per cent, which reduction has remained up to the present time.

As a result of this investigation, rendered possible through the legislation of 1897, the consumers of Canada have profited to the extent of a ten per cent reduction in the duty on paper ever since, and it is difficult to say how many cases this successful operation of the Act against such a powerful combination as the Canada Paper Manufacturers may not have prevented in like combinations among other manufacturers or attempts to reap an unfair advantage at the expense of the public in the case of those already in existence.

One would have thought that legislation of that kind would have received the heartiest endorsation of both sides of the House, and one is surprised to find, therefore, looking over the debate on that measure, the extent of the opposition to it, and the grounds on which the opposition was based. Moreover, since that legislation has been on our statutes, there have been complaints from different sources that it is not sufficient and that something else is necessary, and it is the purpose of this measure, which the government has introduced, to supply any deficiency. I propose to point out in a few words the grounds of opposition to the measure of 1897, and to show wherein the present Bill removes these objections and makes good any deficiencies in the law at present.

In the first place, the main attack against the Act of 1897 was that it put the government in possession of a weapon to be used for the purpose of intimidation and to serve political ends against friends and foes alike by leaving to the discretion of the government the

initiation of proceedings and the giving of power to remove customs duties. It was claimed that the Governor in Council, having power to remove customs duties, might threaten a particular firm with the exercise of this power if they happened to be political opponents. On the other hand, if they were friendly to the administration, they would receive exemption from attack.

Mr. SPROULE. Was not that practically the case?

Mr. KING. I do not think that can be shown in any instance.

Mr. SPROULE. There was one case brought twice to the attention of the House and which was first started by the Hon. Judge Garrow. It was the case of a leather combine, which was clearly established, and in which an appeal was made to the government to take action, and the government never did anything.

Mr. KING. If my hon. friend considers such a case to have been proven, he will probably be the first to recognize wherein the legislation now being introduced will effectively overcome any objection of that kind in the future. My hon. friend put the case as strongly as he could in the debate which took place in 1897 on the legislation then introduced. He then said:

> It puts in the hands of a few men the power to harass or annoy or interfere with the operations of business men in the country . . . to put the traders and manufacturers of the country under the control of the government to such an extent as to keep them in perpetual dread of being attacked under this law. It might be used as a means of levying on men political contributions or blackmail to any possible extent.

I think my hon. friend will be the first to admit that the charge there made has not been born out by the facts. I feel certain that no one in this House will say that the government has ever attempted to exercise in such a way the power given it.

Mr. BLAIN. Has there been any other investigation except the paper investigation?

Mr. KING. I am not aware of the extent to which representations were made to the government as to the necessity for other investigations.

Mr. BLAIN. Have there been any other investigations?

Mr. KING. I purpose to refer in a moment to an investigation regarding an alleged tobacco combine in this country. That, however, did not take place under the section of the law to which I have just referred. I am not aware that there have been other investigations under this particular measure.

Mr. U. WILSON. We know that the rubber combine is one of the strongest in the country. At one time I took occasion to bring it up in the House and called the attention of the hon. the Finance Minister to the fact that dealers were forced by that combine to buy from it at certain times of the year under penalty of paying 15 per cent more for their goods. The answer I got was that he would furnish the court if I would furnish the evidence.

Mr. KING. I think the hon. gentleman must admit the Act would hardly have contemplated action on the part of the Governor in Council in regard to evey matter that might be brought up in the House. Some more effective means of showing the necessity for action on the part of the government should be necessary.

Mr. U. WILSON. I do not see how anything could be stronger than the combine on rubbers, and all the government had to do was to investigate it in the slightest degree to find it existed, because those who were dealing with it were fully aware of its existence.

Mr. KING. Unquestionably individuals may have strong opinions and may be quite right in them, but a government, responsible to the whole people for its action, would have to be very careful in moving against any particular concern, considering the responsibiltiy on it for that action, and for that reason it seems to me that the manner in which a complaint is preferred is an all-important consideration in deciding whether it should be acted upon.

I was mentioning the opposition to the existing legislation on the ground that the government might use this power politically, that the power to remove duties and institute an investigation, being in the hands of the government might be used for political purposes. The present legislation proposes to do away with that discretionary power on the part of the government, and in the event of parties believing a combine to exist unfairly, enhancing the prices or restraining trade, these parties, represented by any six of their number, may go before a judge, and having submitted their reasons by declaration to the judge, are entitled to make out a case in that way, so that it cannot be said that the government is standing in the way of investigation.

Mr. G. TAYLOR. In clause 5 it says: Where six or more persons are of opinion that a combine exists. Who are the six persons, those engaged in similar business at different points, or a merchant with six clerks, who may have a quarrel with the manufacturer and may put him to any amount of trouble? These six persons

should be persons engaged in the same line of business and living in different points.

Mr. KING. There may be something in what the hon. gentleman has stated, but that is one of the points that could be better taken up in committee. What I want the House to see at the moment is that one of the aims of the legislation is to remove entirely the objection that has come from certain quarters that the law as it now stands may be burked by the Governor in Council. That objection is removed by enabling the parties themselves to start the machinery before a High Court judge.

Another objection somewhat similar, was that the Governor in Council having the appointment of a particular judge to conduct the investigation might use their discretionary power to appoint some political friend, and I believe some hon. gentlemen went so far as to reflect on members of the bench in connection with the manner in which they would likely be expected to discharge their duty, it being hinted that the government having appointed a particular judge, that judge would carry out his duties, not as a judge would be expected to do, with an eye single to the justice of the case, but rather with a view of pleasing the government by which he was appointed. I think there has been nothing in that objection, but this measure removes the possibility of such an objection being raised in that it leaves the parties themselves to agree on a judge to be the chairman and also to go before any High Court judge they may desire in presenting their application in the first instance, so that if a judge does not act fairly in the matter the parties themselves must be responsible for selecting him at the outset as the one before whom they wished to prefer their complaint.

Another objection which has been urged to the legislation of 1897 is that it is discriminating in character, that it affects only such articles as are affected by the tariff, and has nothing to do with combines in relation to commodities not protected by the tariff. Of course the obvious answer to that is that it is only those industries that receive any advantage through the tariff that are likely to be affected, or that could be affected by the legislation as it stood, they being affected only to the extent of the advantage they had over other industries in virtue of the tariff itself, so I think there is no ground for stating that there is undue discrimination. On the other hand, there seems to be a limitation in the legislation in that it does not take account of the possibility of combines in commodities other than those protected, and the present measure seeks to do away with that objection by placing no restriction on the class of business, but providing that if a prima facie case is made out in regard to any particular class of industry, then the inquiry may proceed under the law as it is proposed. Strong objection was raised by Mr. Dupont, of Bagot, a former member of this House, at the time the measure was introduced, who contended that the consumers were in a better position to know whether injustice was being done by a particular combine than the government, and he thought that, therefore, the government should not have to decide whether or not an investigation should take place, that the consumers should have the strongest say. The present legislation meets that objection, which I think is a very real and substantial one, by providing that the consumers themselves may make out their case in the first instance before a High Court judge, and if they make out a prima facie case there the state itself takes up the inquiry and carries it on. So much for the objections to the measure of 1907 at the time of its introduction.

There remain the objections as to its non-effectiveness in all particulars since its enactment. In this connection, it has been pointed out that the Governor in Council is slow to act and exception is taken on that ground. There may be very strong reasons why the Governor in Council should be slow to act. In the first place, the Governor in Council has a great many things to consider. The question of the existence of a combine is only one among a multitude of questions, and it is inevitable that, the business of the government being what it is, any question that comes up for consideration should be dealt with cautiously, and not with the degree of alacrity that would be expected in other cases. On the other hand is this further point, that for the Governor in Council to take action against a particular concern gives to the whole proceeding a kind of false glamour. It practically puts the case before the country as that of the government against an individual corporation, and that of itself affords ground for the Governor in Council hesitating before taking the initial step. So in the present measure it is provided that the institution of proceedings shall not rest with the Governor in Council, but with the judge of a high court and with the persons who prefer their complaint before him.

Then in the next place, it has been pointed out that the expenses in connection with the conducting of an inquiry under the present law are very considerable, that the expenses of prosecution under the Criminal Code and of conducting inquiries before a judge in the investigation of a combine, are very considerable. The Press Association, I be-

lieve, was put to about $2,000 expenses in conducting its inquiry; and it is claimed that where it is in the public interest that an investigation should take place, it is not right that practically all the expense should be left to fall upon the few individuals who may be patriotic enough to take up the work on behalf of the country as a whole. That objection seems to be a fair one; and so the present measure provides that where a prima facie case is made out, where it has become apparent to the judge of a high court that there is reasonable ground for believing that a combine has been unduly enhancing prices, and where the judge is of opinion that it is in the public interest that an investigation should take place, it is the state itself, and not the individual, who bears the cost of the inquiry.

Mr. BARKER. What does the hon. gentleman mean by individual? Does he mean the individual who is prosecuting and who is complaining shall not be bound to pay the expense? Supposing the defendant is acquitted, does he propose to pay the cost of the defence? The hon. gentleman knows, I fancy, that in the celebrated Beckett case the defendants were put to about $12,000 expense.

Mr. KING. I think the hon. gentleman is quite right in the point he raises, and that point has also received consideration. The expenses of both parties are met by the government in a measure, that is to say, that when the investigation is held in the public interest, the parties complained against and the parties complaining each name their representatives on the board, and the expenses of their representatives are met and paid in full by the government. If it is thought desirable to appoint counsel to act in the interest of the public in bringing out the whole facts in the investigation, the law provides that the expenses of counsel in such cases should also be met by the government, and in that way all that is necessary in the way of expense to get at the facts is paid for by the state.

Mr. BRISTOL. In case the interests attacked desire counsel, will their counsel be paid by the government as well as the counsel appointed to represent the public?

Mr. KING. There must be a point at which the government of the country in the administration of public funds must safeguard the expenditure; to allow no individual concern to engage whatever counsel they please, and any number they please, would be going certainly much further than any government would be justified in going. If hon. members would get out of their minds what has come to be the customary method of looking at these inquiries as they have grown up under the Criminal Code, they will see wherein this measure puts a different complexion on the whole subject. Hitherto people have come to look upon investigations as criminal prosecutions. A prosecutor has been appointed, and it has become necessary for the parties to retain counsel, and defend themselves. Now that method is done away with altogether. Instead of there being a plaintiff and defendant, instead of there being prosecutions, there is an investigation by an expert representing each side on the board of investigation. The interests complained against appoints the man in whom it has most confidence, the man whom it thinks can best represent the interests of the concern, and his expenses are borne by the state. Similarly in the case of the parties who have made the complaint, they put on the board the person in whom they have the greatest confidence, and his expenses are met by the state. If these two agree on a judge, then his expenses are met by the state. Then if the board find they need counsel to assist them in getting further at the facts, and they recommend the minister to appoint counsel, and he does so, his expenses also are met by the state. But if the parties are not satisfied with that, and they want to go the length of bringing in an array of solicitors, they of course must pay them themselves. But so far as the investigation is in the public interest, the public exchequer will stand the whole cost that may be necessary in order to conduct it fairly, impartially, and with a due regard to the interest of both sides.

That brings me to another point. An objection is raised against the existing measure that it is unfair to put the onus on anybody other than the state to see whether the facts are as they are alleged to be. Similarly in regard to the point raised by the hon. member for Hamilton. I must say that personally I think a great injustice was done to the Grocers' Guild through the expense and annoyance to which they are subjected. For three or four years a group of prominent persons in this country were standing before the public in the light of so many criminals, defendants in a prosecution, and kept in that position for nearly four years, and finally a verdict was given which showed clearly that they should never have been put in that position at all. Now, had this Bill been upon the books, instead of a criminal prosecution conducted in that manner, the facts concerning the Grocers' Guild and their relations with the public, would have come up for investigation, the Guid would have been represented on that board of investigation by an appointee of their own, and the parties complaining

would have been equally represented, and these two would have had a judge sitting with them, and these three as a board would have come together, and have given out a statement to the public in the course of a few weeks which would at once have put the public mind at rest as respects any unfair criticism which might be directed against a combination of that kind. So I hope that the present measure, viewed in its proper light, will be seen to be as considerate of the interests that are being appealed against, or being inquired into, as it is of the interest of the consumers on whose behalf it is primarily instituted.

Then again there has been raised a point that a judge is not the best person to conduct an investigation, it has been said that a judge having a particular training is not the best fitted to go into an inquiry which has to do primarily with economic, industrial and commercial conditions. There is a good deal to be said for, and against the employment of judges in work of this kind. In the first place, looking at the position from the point of view of a commercial interest, it seems to me there is a strong reason why a judge should be one of the most desirable of men for a board. It is the duty of all constituted authority to protect private property, also to see that there is no undue interference with individual liberty, and that is best done by those who are specially trained with a view to safeguarding these public and private rights. Where you have such large interests as those which are to be seen in these great commercial corporations it seems to me eminently desirable that a judge should be one of the parties to protect those interests. On the other hand, looking at it from the point of view of those who are interested in preventing a combine from carrying on its work in an unfair manner, it would appear to be to their interest that a judge should be appointed. Most of these combines operate, in so far as they operate successfully, through agreements drawn in a very skillful manner by the best legal intelligence which these large corporations are able to command, and a man with the training that a judge or a skilled lawyer is likely to have would be in a position to satisfactorily examine into the intricacies of the contract and agreement which might be an essential part of any big combination. So that, from the point of view of those who are complaining against a particular combine, and also of those who are members of a combine it seems to me that there is a strong reason for having a judge upon any board of investigation. But, there are equally strong reasons for having on these boards men who are specially skilled in the particular interest that they are examining into. Nobody could better inquire into the intricacies of a combine than the man who feels its effects, and if you leave to the individual who is suffering from a particular evil the choice of the man who is going to find out whether that evil is existing or not you give him the most effective means of getting at the truth of matters. Similarly, if you take a combination that thinks it has been unfairly treated at the hands of the public, and if you allow that combination the right to place on the board a man who knows the intricacies of the whole business, who is able to put the case before the public in such a light that the business of the combination will be clearly thrown into relief, something in the nature of justice will be done by such an examination. So, I say that this measure aims at doing justice, and meeting the points of view urged by both sides in this connection at securing a combination of legal, commercial and industrial intelligence for the purpose of the examination. A board better constituted for the purpose of conducting such an examination. I think it would be impossible to devise. These are, I think, the main objections which have been taken to the legislation which is at present existing, and I think I have shown that this Bill as it has been drafted overcomes these particular objections. I have only one or two more points to bring out, and then I shall resume my seat.

In so far as any other limitation may be urged it may be said that the remedies which the law affords at the present time are not adequate or sufficient, that there may be a great variety of abuses, and that the law as it stands is not sufficient to meet those abuses. I think the House will agree with me that it is pretty difficult to devise any measure that will meet every kind of abuse that may arise, but certainly the first step towards getting at any remedy is to get at the facts. If you disclose an evil the remedy for that evil will reveal itself in the course of a very short time, but it is to get at the facts in the first instance that is a necessary and essential step in order to bring about a result, which, it is admitted, will do more to achieve the end desired than anything else.

To illustrate what I mean, wherein special remedies can be provided to meet special cases if the need be disclosed—in 1902 representations were made to the government that by the adoption of an exclusive contract system between the American Tobacco Company, Limited, of Canada, and the Empire Tobacco Company, Limited, these companies were able to prevent those who dealt in the class of goods made and supplied by them from selling the goods of other manufacturers, and thus creating a monopoly which seriously affected the interests, not only of other manufacturers in Canada, but also of the

growers of tobacco. This was clearly a case of alleged combine in restraint of trade, but, as it was not alleged that the combine was one in relation to an article protected by the tariff, and which the existence of the tariff was helping to facilitate, an inquiry could not be ordered by the Governor in Council under that measure. Had this proposed measure been in existence the matter would have become one for consideration before a board of investigation such as is provided for under the Act. There being no such measure, however, it was necessary to fall back for the purpose of inquiry upon the General Inquiries Act, and to issue a Royal Commission for the purpose of investigating this alleged combine.

His Honour Judge MacTavish, of Ottawa, was appointed commissioner. In his report presented to the Governor in Council in April, 1903, the commissioner found that the contract system complained of by the parties did, in fact, exist and was in general use in the cigarette and tobacco trade in Canada, that the provisions of the contracts in question were not illegal either under the Dominion law or under any statutory law heretofore enacted by the parliament of Canada, but that the manufacturers of cigarettes and the growers of tobacco in Canada, other than the American and the Empire Tobacco Companies, were at a disadvantage in the distribution of their goods and in the prosecution of their business generally by reason of such contract system.

The commissioner having made this finding, the then Minister of Inland Revenue, now my hon. friend the Minister of Marine and Fisheries (Mr. Brodeur) at the next session of parliament introduced, on October 4, 1904, a resolution which after being adopted was followed by an Act, Edward VII., c. 17, for the purpose of providing for the cancellation of inland revenue licenses where manufacturers holding the same sold goods under a monopolistic form of contract designed to prevent the purchaser buying goods from any other manufacturer or dealer.

Here was an effective remedy for consumers and an effective means of destroying combines which had been formed in virtue of special privileges gained through a license granted by the government for a particular kind of business.

Under the legislation that the government is introducing at the present time, that legislation of 1904 will be made more effective. A Royal Commission was necessary to disclose the combination which was shown in this particular case. Under the proposed law, an investigation by one of the boards established under the Act showing that a combination in restraint of trade existed, within the meaning of the law of 1904, would have the effect of making penalties under that Act applicable to a combination of that kind.

It is impossible to foresee al the circumstances under which combines injurious to trade or the people may spring up, but in so far as any may be known at the moment it is believed the present measure contains the means of affording effective relief to the consumers, and punishment to those who persist in deliberate wrong-doing, or a harmful course of procedure.

For example, somewhat analogous in its way to the monopolistic possibilities of licenses, are the monopolistic possibilities which patents confer.

There is reason to believe that a form of combination in the past which has worked considerable hardship in many directions is one which has grown out of an unfair use made, by the parties possessing the same, of rights which they hold in virtue of certain patents. It has been alleged, for example, that in some cases the holders of a patent which is more or less essential to an industrial process, have declined to sell this article to parties requiring it in connection with the work of manufacture, unless such parties would agree to purchase all other articles required in this connection, either directly from or through the holder of the patented article desired.

Of this nature was the case of Brunet and others versus the United States Shoe Machinery Company of Canada, which was the subject of considerable litigation in the courts of this country and was carried on appeal to the judicial committee of the Privy Council. The judgment of the Canadian courts were reversed on the appeal on certain points of law respecting contract, but Lord Atkinson in delivering the judgment of the Privy Council made the following significant statement in part:

> If the monopoly established by the appellants and their mode of carrying on their business be as oppressive as is alleged (on which the lordships expressed no opinion) then the evil, if it exists, may be capable of cure by legislation or by competition, but in their view, not by litigation. It is not for them to suggest what form the legislation should take, or by what methods the necessary competition should be established. These matters may, they think, be safely left to the ingenuity and enterprise of the Canadian people.

It is claimed, too, that the holders of patented articles not infrequently make arrangements with dealers, binding them to sell only the articles made by the holders of some patented article, and not the article of a like kind of any competitor on

penalty of refusal to supply the patented article.

Through exactions of this kind, and I am inclined to believe that they are much more numerous than the public imagine, trade has been very seriously restricted. In some cases worthy producers and manufacturers have been ruined either in part or in whole, and in all cases there has been exacted from the consuming public a toll such as appears to have no justification whatever, especially when one considers that a patent is a special privilege granted by the public itself through a government which is responsible to it.

The present measure proposes to deal in a special way with combinations of this kind; in the only way that is calculated to afford effective redress, and to afford the kind of relief which Lord Atkinson in the case before the Privy Council which I have mentioned, indicated it should be attempted to cure by legislation rather than by litigation.

It is provided that in case the holder or owner of any patent issued under the Patent Act makes use of the exclusive rights and privileges which, as such owner or holder, he controls so as to restrict competition or enhance prices, the patent shall be liable to be revoked.

There is one broad section of the Act, No. 23, which provides a penalty of general application in cases where the board finding that a combination is existing, recommends that the combination shall change its methods, and the combination later fails to do so within a specified time. In such a case provision is made for a penalty with the view of preventing a continuance of these evils.

It remains only to consider the probable criticism of the measure now being brought forward, and the possible alternative plans which may be suggested. As the measure has been before the country for over two months there has been ample opportunity for a full consideration of its several features, and for ascertaining through representations which have been made one way or another by correspondence, by personal interviews, by comments in the press and by resolutions, what are the alternative courses of procedure or lines of criticism which may have suggested themselves to those who have been giving serious consideration to this measure.

Omitting reference to such criticism, and comments as are merely of a combative, discursive or trivial nature, the objections to the measure appear to be based largely on the self interest of the parties making them, rather than on general public grounds. One group says that the proposed Act goes too far, the other that it does not go far enough; one that investigation is too easily obtained, the other that there is still too much difficulty in obtaining investigation. Such expressions would appear to indicate that on the whole a fair compromise had been reached, and that from the point of view of the public the balances been evenly held. There are of course in this country as in every other those who fear investigation, who argue that it is harmful to business, prevents initiative, and destroys organizing capacity. To such it is perhaps a sufficient answer to say that the largest industrial organizations in the country at the present time are obliged to submit their affairs to inspection and investigation. The work of the Railway Commission is all in the nature of investigation, and the splendid service which has been rendered the country as well as the railways themselves by this body is one of the strongest arguments which can be advanced in favour of control through state agencies.

Similarly the banking business of the country is subject to important restrictions and regulations imposed by the state which involve much in the way of publicity of their affairs. Some of the largest corporations have found it to their interests to invite publicity. The United States Steel Corporation is a case in point. Mr. Carnegie has openly proclaimed his belief in the right of the state to inquire into large businesses. Both Mr. Carnegie and President Gary have spoken in favour of governmental fixing of prices in monopolistic industries. The contrast between the manner in which the affairs of the United States Steel Corporation have been viewed by the public in the states as compared with those of Standard Oil is a sufficient commentary on the merits of publicity as opposed to secrecy in the management of large corporations. As a matter of fact, any business which is carried on in a manner that does not admit of its workings being made public is one which should not be allowed to exist, and at any rate should not receive corporate rights and privileges at the hands of the state.

All the arguments that can be urged against any powers of investigation conferred in the present Act could be urged with equal strength against the powers which are given to boards under the Industrial Disputes Investigation Act, which the present Bill follows closely in many particulars. It was claimed when that measure was under discussion that the powers given to boards to summon witnesses, compel the production of documents, and in other ways give publicity to their affairs would be harmful to the interests involved. During the past three years there have been some 80 boards established under the Act. These boards have had to do with the investigation of the affairs of many of the largest indus-

trial concerns in the country, including transportation companies, mining companies, and other industrial establishments, most of them having a more extensive business than any industrial combine as yet known in this country, yet in no case has it appeared that the board thus conferred has worked an injury to the business of the concern which has been made the subject of investigation. On the contrary, the access to truth which was been assured in this way has been the one factor which has led to a settlement of industrial differences, and the avoidance of industrial war in over ninety per cent of the cases in which it has been employed. The truth is that a business, legitimately conducted, has everything to gain by an investigation of its affairs. The very best concerns may be wrongly judged by the public and an investigation may restore that measure of confidence so desirable in the management of any business. Mr. H. W. Clews, one of the ablest of New York financiers, at the time that business looked at its worst in the United States, come out with this interesting pronouncement with reference to the investigations which were being forced by the administration:

> The check upon this tendency towards monopoly and excessive centralizations of industry may, of course, be temporarily unsettling in Wall street, but the ultimate effect even upon investments will be highly beneficial, for it will disarm much of the public criticism naturally aimed at the great corporations and monopolies which would surely continue to abuse the great power obtained without due restraint. It will be remembered that none of the calamities which were predicted in event of a decision against the Northern Securities Company ever happened. On the contrary, the decision was distinctly beneficial; it averted worse political agitation.

Businesses honourably conducted have nothing to fear from the present measure; even supposing as is highly improbable that they are very likely to become the subject of investigations under its provisions. On the other hand, the possibility of investigation will be of the greatest service in causing those entrusted with large investments to be conservative and careful in their management. Should business not be properly conducted and should the public be suffering a wrong in virtue thereof, it will hardly be denied that investigation in every sense of the word is in the interests of the public.

A business which is being carried on in a legitimate, fair and honourable way has nothing whatever to fear from the investigation which this law would provide. Many a concern that to-day is being unfairly criticised by the public will be protected by this very legislation because it provides the means of bringing before the public the true facts of the case. On the other hand, this legislation does aim a preventing the mean man from profiting in virtue of his measures. The one end and purpose of this legislation is to prevent the mean man from profiting in virtue of his meanness, and I know of no way by which that can be more effectively done than by providing some kind of machinery which will enable an intelligent public opinion to be formed and focussed upon the particular evil which you are endeavouring to stamp out. Penalties are frequently of no service towards that end, but publicity is all important and essential, and it is for that reason that in dealing with this particular class of cases we had to endeavour to devise an instrument which would bring into play that most potent force in society, namely, an itnelligently formed public opinion which is so effective a factor in the regulation of commercial and industrial affairs.

Of the alternative plans which have thus far been suggested there are but two which seem to be deserving of careful consideration. Each has merits of its own, but each is also subject to distinct limitations under existing conditions. The fact that the present measure stands as it were midway between the two, combining the conditions of both without being handicapped by the limitations of either should help to afford a common ground for union to the advocates of these alternative views.

In the first place, it is suggested that the government should appoint a special agent or agents, whose business it would be to make the preliminary investigation wherever there was ground for believing that a combine injurious to trade might happen to exist. This view has been put forward by different persons. It has been expressed in its simplest frm by Mr. F. W. Thompson, the Canadian correspondent of the Boston 'Transcript':

> The present critic inclines to think that the Bill might be bettered by establishing an official whose duty should be to take and to examine every complaint of 'combine' alleged by anybody.

The same view has been more forcibly expressed in an interview alleged to have been given by a leading Toronto lawyer, and which I find quoted in the Hamilton 'Spectator' of January 24.

> What would have been a move far better than the calling for an investigation by six people or more who have reasons to think that there is a combine, would be for the government to appoint an official investigator. His duties would be to listen to all complaints, and as soon as one is made, he should be

given the power to go to the offices of those supposed to be in combine and take full charge of the books. It would be a simple thing for him to decide whether there is a combine or not, in his opinion, and if he decides there is, then let the commission hold the investigation.

It must be perfectly apparent that if the government were to adopt that plan, not one but a host of investigators would be necessary. Moreover, the objection that has been urged against giving the Governor in Council power to remove officials in certain cases, could be urged with even stronger effect in this case. If the government came down with a measure of that kind, it would probably be asserted that the officers whom they would be likely to appoint would become mere tools of the government, and very little confidence would be placed in their investigation. No such argument can be urged against a High Court judge.

The other alternative plan is to appoint a permanent commission, like the Railway Commission. There is much to commend that proposal; but the time has hardly come yet for taking such a step. One thing these individual boards may do: they will assist in revealing the necessity or non-necessity for the establishment of a permanent board to deal with the regulation of trusts and combines. More than that, they will reveal the best class of men to appoint on such a body should it be found desirable to appoint a permanent board. The United States, from which we have copied many good things, whose Interstate Commerce Commission I think suggested the idea of our Railway Commission, up to the present time has not found it desirable to appoint a permanent board to deal with trusts and combines; and we, with our more limited experience, would be hardly justified in taking that step. Rather they have taken the step of establishing first a Bureau of Corporations in connection with the Department of Commerce and Labour, for the purpose of exercising greater supervision over industrial corporations. The result of the examination of these bodies will be to show whether or not we in this country would be wise to proceed towards the establishment of a similar bureau of corporations, or whether it will be better to go in the direction of establishing a permanent commission.

I would have liked before closing, to have referred to some of the opinions expressed by the press of the country with regard to this measure. I think I am correct in saying that the general consensus of opinion of the press, representing all classes and all shades of political thought, is to the effect that legislation of this kind is what the country has been expecting for some time past, and should be enacted as speedily as possible. I have also received communications from a vartiety of sources. I might mention, for example, a communication from the Master of the Dominion Grange, in which it is stated:

> As you are perhaps aware, the farmers' organizations of Alberta, Saskatchewan, Manitoba and Ontario have united their forces. One of the first acts of their united executive, of whom I am secretary, will be to take advantage of your Act, which meets with the most enthusiastic approval of our organization.
>
> Our organizations number more than 25,000 members, and we are very much in earnest in this matter.

That is the view the farmers take of this measure. I have also a communication signed by the executive of the Dominion Trades and Labour Congress, representing a very large proportion of the labour organizations of this country. This body has asked for the insertion in the Bill of a clause, which I propose to move in committee. This communication states:

> Should parliament see well to insert the safeguard herein suggested, we do not hesitate to say that the Bill would receive the hearty endorsation of the organizations which we represent, and which are some 628 in number and have a total membership of 40,728.

If, therefore, we have regard to the general expression of opinion which is taking place throughout this country, we shall see that this measure is demanded and endorsed by the most representative bodies of the Dominion as well as by the public generally.

In conclusion, let me say that it is not claimed for this measure that it will by any means abolish all the evils which are claimed to be the result of combines and trusts in this country. The most that can be hoped for any such legislation is that it may be a step in the right direction. Broadly viewed, it is in the machinery for investigation and for the framing and shaping of an intelligent public opinion which the measures provides, that its main features consist. It aims to get at the truth and to have the truth when ascertained, so presented that the remedy for a wrong disclosed will be self-evident. It is framed in the belief that once in possession of the facts which are of first importance to itself, the public will find a way of seeing that any evil under which it may be wrongfully suffering will be removed and that no situation, however complicated, will prove too intricate for a satisfactary solution, but to ascertain the facts, to get at the truth, is the first of all essentials. It relies on the moral sense of the community as a 'compelling force,' when concentrated intelligently on a business wrong. Inteligent public opinion

will protect honest business and condemn unfair practices.

In the publicity, therefore, which this measure secures, not to private affairs of honest business men, as may be urged by those who are interested in thwarting legislation of this kind, but to the wrongful acts of mean men, lies its strength in securing the well-being of the people, which it is its purpose to maintain. It is an honest endeavour to grapple in a fearless, practical and thorough manner with what is, undoubtedly, the most complicated, intricate and far-reaching of those problems to which our present social, industrial and commercial life have given rise, and which presents, I believe, more difficulties than any single problem in the world to-day. If it does nothing more than restrain to some extent the aggressive tendencies of large aggregations of wealth, and to secure as respects those powerful interests, some measure of that social control which is essential to the protection of the well-being of the many, it will prove not only a benefit to this nation, but I believe, an onward step in the march of social progress.

Mr. E. N. LEWIS (West Huron). Mr. Speaker, allow me to congratulate the hon Minister of Labour upon his first lengthy deliverance in this House. I am sorry, Sir, as I am sure the hon. gentleman himself is, that he has been handicapped by the rules of this House in not having been able to lay on the 'Hansard' table the numerous quotations which he has made, and thus have shortened his time. We have been listening from 11 o'clock till half-past 4 to his very able deliverance. I have taken a great deal of interest in this matter of combines, and in 'Hansard' of the present session, from pages 92 to 96, on November 15 last, I gave the results of my study of the question. There is no doubt that the people of this country are very much worked up in regard to the abuses of combines. The hon. minister did not see fit to mention any specific cases, but there are no goods in use by the plain people of this country, from tin tacks to rubber goods, from leather goods to wash goods, the cost of which is not enhanced by the combines, and these combines are only effective under the tariff regulations of the country. I have quoted the Minister of Finance on page 93 of 'Hansard' of the present session in reference to that. While I join with the hon. Minister of Labour in regard to the general principle, I take issue with him on the law he is trying to promulgate, that is, in regard to the multiplicity of boards to deal with this matter. The main trouble is this. If a merchant in this country finds that the goods he is selling are being imported at an under valuation, all he has to do is to mention the matter to a customs officer, and the whole machinery of the Dominion of Canada is put into force to see that he is protected; but if a retailer desires to put into force the present law as to combines, or the law which the Minister of Labour has laid down, he has to go into court, and appear in the limelight, and if he does that he will be cut off from securing from the wholesalers any goods he desires to sell. I submit that there is only one remedy—one board of experts similar to the Railway Board.

Some time ago I brought before this House the suggestion that we should have two railway commissions, one in Winnipeg, for the purpose of facilitating the business of the country and relieving the people of the west from the necessity of coming to Ottawa to have their grievances remedied. The answer given me by the government was that if we had two boards, we would have two systems of jurisdiction and two different interpretations of the law. But how many would we have should this Bill come into operation? There is much more reason for having two or three railway boards than two or three investigation commissions, or even fifty, as we may have under this Bill. The questions are not at all alike. All the disputes that come before the Railway Board have reference to grievances on railways and canals and the like, which can be easily adjusted in whatever part of the country these difficulties arise, and where, for their proper understanding, the local situation and circumstances could be personally examined by the board. But the questions dealt with by this Bill are much broader, affecting trade and commerce, the adjustment of which in any particular locality affects the whole country, and, therefore, these can very properly be adjusted by a commission sitting in Ottawa. I submit, therefore, that the whole matter of the tariff, on which the existence of these combines hinges, should not be left for decision to the Minister of Finance, with his multitudinous duties, but to a commission of experts, men of experience above bias, which would investigate into these subjects and advise the Minister of Finance. The United States, which is now in the grasp of the combines and trusts, is the only protectionist country in the world without a tariff commission.

Mr. MICHAEL CLARK (Red Deer). I rise, Mr. Speaker, with very considerable fear and trembling, to put before the House my views on this subject, because I recall that, in the last general election in England, the only true representative remaining of the old Manchester school, lost his seat. Nevertheless there are one or two things I would like to say in reply to the speech of very great ability, and not inconsiderable duration, to which we have just listened from my hon. friend the Minister

of Labour (Mr. King). That speech seemed to me to bear the marks, from every standpoint, of two outstanding characteristics which my hon. friend has developed in a singular degree—great zeal in the public service and capacity for hard work.

Mr. J. HAGGART. Hear, hear.

Mr. CLARK. I am not sure, however, that the zeal was on this occasion mixed with quite the proper amount of discretion. I may say that I regret very much that the whole House was not present to hear that speech, because it was so very valuable a preliminary step in the investigation which was recommended that I am sure it will tax the digestive capacity of hon. members to fully absorb what has been given them.

I do not wish to put myself in opposition to what will probably be the prevailing sentiment of the House, but, in common with a good many members, who are suspicious that all roads lead to Rome, I have a little weakness on the question which, as I have already indicated, is not too widely shared on this continent; and before saying very briefly what I believe is necessary for me to say on this occasion regarding the real origin of combines, I would point out that, as a Liberal of the old school, I approach the question of state control with very considerable suspicion. I commend the candour of the hon. minister. He used the phrase with considerable frequency and did not endeavour to conceal his conviction that such control was necessary in this particular case. I regret very much, on my hon. friend's account, to hear a young Liberal approach the subject of state control in so light hearted a manner because I recollect the fact that the progress of true Liberalism has been associated in the history of England with a gradual diminution of state control. The establishment of liberty is the work on which Liberalism has been engaged, and I regret that any one bearing the name of Liberal should approach the subject in a light hearted way. As a free trader I hailed that portion of my hon. friend's speech which could be fairly represented as a plea for cheapness. I have considerable hopes of my hon. friend the Minister of Labour, on the trade question. He has so broad and on the whole so open a mind, so attractive an intellect, that I am very sure that, when he gets time to bring the same energy to bear on the trade question which he has bestowed on the question of combines, he will very nearly reach my position on that question. Of course I do not quite understand the plea for cheapness as being a very strong argument in a protectionist country, because I understand that one of the cries of protectionists is that dearness is a good thing. I understand that they believe in dearness. If that be so, I do not see how a plea for cheapness can very strongly recommend the investigation we are promised. My hon. friend said very truly that there is no harm in a combine in itself. The men from whom I learned Liberalism fought, in the middle of the last century, and fought hard, for the right of workingmen to combine in trade unions, and in the statement that there is no harm in combining in itself, I am in accord with the hon. minister. But the real evil which the government is trying to get at is the cause of the increased cost of living. That is the real trouble. I should hesitate very much to put any obstacles in the way of this committee or this proposed legislation at all. I would hesitate very much to do so because I am quite sure, as my hon. friend indicated in his closing words, that there is a large section of the public so appreciative of this evil that they will hail any attempt which is likely to give them relief from what is becoming unendurable. My hon. friend said that the increased cost of living was not necessarily an evil. I think that Bestiat, who was a little more exact in his thinking than my hon. friend, said that there are two kinds of dearness. That was pointed out long ago by the French economist. He specifically told what those two kinds of dearness are. One was due to the limitation of supply. That of course every one knows will cause dearness. The other one, the good kind, is due to the increased demand.

The minister made what was to me an extremely interesting remark when he pointed out that in England, Canada and the United States, taken in that order, you have an increasing scale of the degree to which this evil is felt, that is to say it is not much felt in England. I read my British papers from day to day, and I cannot say that I understood it has been much felt there. A personal friend of mine, one of the most thoughtful men I have met in Alberta, who had been 25 years in the United States and Canada, went a short time ago to the old sod, and he wrote back that he had been able to strike for the first time in a quarter of a century a place where he got value for his money. In Canada it is felt a little more than in England and not nearly so much as in the United States. The feature in that increasing scale it strikes me is that in the same countries you have exactly the same relationship of the countries to commercial freedom. You have practically free trade in England, you have a moderate tariff here, and you have a high degree of protection in the United States. I do not know whether that will suggest to members any connection between protection and the high cost of living. The minister said that the first thing to cure the disease was to investigate it. I quite agree that diagnosis would precede cure, but I should like

to go a little further in the medical studies of my hon. friend and to say that the first thing to cure the disease is to eliminate the cause. If I have any objection on this ground to the policy that has been elaborated so ably by my hon. friend it is that the treatment it recommends is of a somewhat symptomatic nature. I do not think it goes down to the root cause, it partakes rather of the nature of the pill-to-cure-an-earthquake remedy. If a man has a rotten bone in his shin it might not do much harm to give him a hot bath, but the only thing that would give him a sound limb would be to get rid of the rotten bone with the surgeon's knife as soon as possible. The hon. gentleman, I think, admitted that protection was one of the very numerous causes he mentioned for the increased cost of living, and he went on to make a remark that it does not follow that protection in the long run is not a good thing. I was filled with regret at that remark, by reflecting that if the run is too long I will not be there to see it; if protection is only to be a good thing in the long run and is a bad thing at the present time, we ought to get after it in our own lifetime; I should let the people living in the long run think for themselves and get at this particular cause of trusts.

I resemble President Roosevelt, if I caught the minister's extract correctly, in doubting both the utility and the feasibility of this class of legislation. Mr. Roosevelt's language, as I caught it, was that legislation of this kind is likely to be noxious where it is not ineffective, and there are root principles for this. After all in a protectionist country—and I put this because a speech such as the minister has made is bound to call forth considerable comment, and comment coming from a member of the Manchester school on this continent cannot be taken too seriously—I would like to make one or two converts to my view on free trade before my removal from this sub-lunary sphere. The government in a protectionist country, by its fiscal policy, makes the whole country a huge trust, that is to say it puts blue-coated, brass-buttoned gentlemen on the shore to shut out foreign competition. To that extent the country becomes a huge trust, and it resembles a trust in this that it takes from its consumers very much more money than what it gives in return is worth. I am not depreciating this government or the government that preceded it, but my point is that we buy—and I never heard a commercial man dispute this position—probably twice as much dutiable goods in Canada made in Canada as we import from abroad. We only get revenue on what we import from abroad, so that the government sets an example of high prices in the shape of its taxation by taking $150 for every $50 that is spent on the public service. If that is not the high cost of living as a taxpayer I do not know what it is. There is the initial wrongdoing of protection, the government is a huge trust, the whole country is made a field for a combine, and my contention is that for a government to turn around and object to its individual citizens following its own example is very much like a father smoking a 50 cent cigar and lecturing his grown sons on the evils of an occasional cigarette. Grave questions arise in my mind, which I shall only indicate, as to how far it is right to restrict any price. You establish a set of conditions by your fiscal system; sharp men—and we have lots of them in Canada—take advantage of these conditions, and they push their enterprises to a point to where it is impossible to push them in a free trade country like England. In saying that, I should like to guard myself against being misunderstood as to the interest I take, more as a free trader than any protectionist can possibly do, in the interests of the consumers. I want to say that as a Liberal I believe in the greatest good of the greatest number, I believe in the greatest good of the whole number, and on this fiscal question the only way we can get at the whole number is by thinking of the consumer, because we all consume, every minute in our lives, every time we stand in our clothes, every time we take a meal or enter a house, we consume all manner of things, and the true Liberal who thinks of the whole people must think of the consumer all the time. The protectionist, on the other hand, thinks of the producers, and from this point of view he can never think of the whole people, because the producers are only interested in the particular class of goods which they themselves produce. That is the meaning of a vested interest. Of course, I have no great fault to find with my Conservative friends who inherit the traditions of the Conservative party, of standing for vested interests of minorities which I have been fighting all my life. A very quixotic career, but not one which readily leads to official position, because in democratic countries you can only get into office by making yourself solid with a majority.

Now what is the correct price of an article? There is one case in which I believe it has been found necessary, owing to the peculiar rapacity of one particular type of human nature, of legal human nature, both in this country and in the old country, to have a strict observance as to charges. I understand that lawyers' charges are always looked into very carefully. On the other hand, it has never been found necessary to look after the charges

of medical men at all, they are kept very busy looking after their own; and it is a notorious fact that the medical man is left subsequent even to the undertaker in such cases as require a second party after the doctor has finished his work. I do not know, but that we should have a branch of this department to make investigations into that matter, and throw some light on the subject. It may be that we may require some department of this new method of investigation which would look after the compensation of medical men for the huge bad debts which they contract.

Now, I have asked the question: What is the proper price of an article? Well, the answer to that is that the proper price of an article is the highest price that it will bring, and that is the principle upon which all bargaining between man and man stands. Now I have pointed out that a government in a protectionist country creates a national monopoly, and inside of the large monopoly smaller monopolies grow up in spite of anything you can do. A great Irish theologian said that every effect has a cause, and effects will never cease so long as causes are allowed to operate. You create a monopoly within a monopoly. Our old friend Adam Smith, comes to our enlightenment at this point on the subject of prices, by saying that the price of a monopoly is always the highest that can be wrung out of the consumer. The price of freedom on the other hand is always the lowest that can be taken consistently with carrying on public business. Now I have said that there is not much heard of the high cost of living in Britain or of combines either. It may interest hon. members of this House to learn that our enterprising friends of an inquisitive turn of mind have not failed to make efforts to establish combines in Britain. A few years ago a certain type of American cigarette was advertised largely all over the board fences and street corners of the old country, and retailers were promised specially large dividends on their first sales. This was part of the machinery by which an American combine tried to introduce a tobacco trust into the old land. But under the freedom of commerce, Wills, of Bristol, brought out a cheaper, and better cigarette, and every man in Britain who smokes cigarettes began to smoke the Wills cigarette, and the American trust was reduced to the humiliating position of being sued by the retail dealers to whom they failed to pay the extra dividends they had promised them. At a later period Lever, of Sunlight Soap fame, united with eight or ten other soap concerns, and formed a soap combine. There were certain soaps advertised throughout the land as the non-trust soap, and every washerwoman in England bought the non-trust soaps, and Lever and company sent an advertisement to the leading newspapers saying that it had been found advisable to break up their combine as there were business reasons why it should not be continued. There was a cure without investigation, there was a cure without legislation, there was a cure based on the simple expedient of freedom of commerce. Recently I believe a similar attempt has been made with regard to beef, but it has failed also. These three efforts have been made to establish trusts in Britain, to my knowledge. The Minister of Labour has an expert knowledge of this question, and he may know more than I know on the subject. But those were three great attempts to establish a trust which failed.

Now we come to the practical point as to whether anything can be done. Well, I think the way that small trusts grow up under big ones cannot be better illustrated than by the point which was raised by the hon. member for Pontiac (Mr. Hodgins). He pointed out that under this industry building the price of cement jumped from $1.50 to $2.09 at one leap. That is building the infant industry with a vengeance, but it is also building the high cost of living to the consumer to such an extent that I was told to-day of a small village in the west where a limited quantity of cement was being used for a public work, and under the recent jumped price, if that same amount of cement had been bought at the larger price, it would have meant $1,200 or $1,300 extra for that particular village. Now in that case there was, I think, apparently a very harmless rise in the tariff which accounted for it, I think it is a fact that there was a rise in the tariff, at any rate on cement bags, which made the tariff upon the whole quantity of cement larger than it had been formerly, and following that increase of the tariff you have of course the combination which is bringing up the expense to the consumers. I should like to offer a suggestion in this connection to the Minister of Finance. Without any investigation or any legislation, he may make a little experiment for the benefit of Canada, and for the benefit of the world upon this question. Let him put cement upon the free list absolutely, and see what the effect will be upon prices. That would be a nice preliminary step towards a real effective investigation into the cost, and a cure of this evil of the high cost of living. As I have said, we read of the high cost of living in Germany, we read of it in France, in Canada and in the United States, but we do not read of it to any great extent in Britain, or Holland, or Belgium, which are also largely free trade countries. Some amusing illustrations have come to my notice of how this freedom of commerce slightly increase the cost of living. Britain has got the right kind of increased cost due

to an increasing supply, and an increasing demand, which ought to enable us to see how this thing operates.

When I was at home for the Christmas holidays, I talked to a firm in the town of Olds, near which I live, and I saw a barrel of apples in the store of that firm. The people who kept the store said to me: That is one of fifteen barrels which were sent out here as No. 1 and have been returned by the different individual purchasers. I looked at them and they did not, to my mind, represent exactly No. 1 stuff. As a matter of fact, I was fortunate enough, for many years before I came to Canada, to have a few barrels of northern spies and county kings sent to me from Ontario every year, and I can assure this House that I ate better northern spies and county kings in Newcastle-on-Tyne, England, than I have ever tasted in Alberta. It is notorious in the towns of the west that the best beef is the exception rather than the rule, and the reason for that is that the prime, choice steers go to poor benighted England, which has no weapon of retaliation and which was so commiseratingly spoken of by the hon. member for South York (Mr. Maclean) the other day. It is extremely kind of the other nations of the world to pave with their best the rough road that the backward British nation is taking in retaining the principle of free trade.

I have no obstructive comments to make upon what I may say was an extremely interesting speech, but I would sum up what I have said by saying that in my judgment there is no evidence in the history or experience of nations that tyranny ever cures tyranny, and state control, whether you call it protection or socialism, is only another form of tyranny. I have never been able to gather any evidence from any source that tyranny really cures tyranny. What really cures it is freedom, and the nation which is the greatest trust buster is that which believes in and applies the principle of commercial freedom. I have indicated what I believe to be the cause of the condition with which this Act is designed to deal, and I am not prepared to place any obstacle in the way of any relief from the cost of living, which is making flaring headlines in almost every newspaper in this country, but I beseech my hon. friend the Minister of Finance (Mr. Fielding) to come to the assistance of the Minister of Labour on this question and show him, by a little experiment upon cement in the next budget, that after all young men are not always the wisest as to the early production of the millenium.

Hon. JOHN HAGGART (South Lanark). Mr. Speaker, it is refreshing to hear remarks like those which the hon. member who has just taken his seat (Mr. M. Clark) has made. They are like echoes of the past. At one time the principles he has enunciated had the advocacy of all the hon. members I see on the front benches at the present time. They are a pleasing reminiscence, a recollection, of a former time. They have been forgotten, vanished, and it is with pleasure that I hear statements made and principles advocated which thirty or forty years ago were the principles of the gentlemen on the opposite side of the House.

Mr. LENNOX. Not so long ago as that.

Mr. J. HAGGART. Now, let us deal with what is at the present time before the House. The hon. gentleman is not wanting in courage who can produce a Bill such as that which has been introduced, and if he can do anything in the direction in which he proposes to do it, not only those on this side of the House but those on both sides of the House would be glad to give him their most earnest support. But, I am afraid that he does not understand the difficulties that he is up against. This Bill is for the purpose of punishing parties who enhance the prices of commodities which are useful to the community, such as food. Such legislation has been tried in the United States, and, as the hon. Minister of Labour (Mr. King) states, that legislation took the form of legislation against combines. I want to point out the difficulty there is in connection with this kind of legislation. You must state specifically what you intend to legislate against. That is one of the principles of law. It is not what the intent is, it is not what you suspect may be underlying, but you must be specific in your description of the crime in order to punish it. That is the trouble with the Bill which the hon. gentleman has introduced here. What does he mean by enhancing prices? As I have stated, they tried this in the United States, where they passed an Act in reference to combines. You can reach a combine. The very fact of the existence of a combination for any purpose of that kind is sufficient to enable you to punish them. The English have adopted a principle which is logical. They keep the control of corporations under the common law and punish any one who transgresses it. They have never attempted any legislation such as this. In order to punish a party who enhances the price of an article, you appoint a board for the purpose of inquiring into the facts. There is a board of investigation which makes an inquiry to see whether the article is being sold at too high a price or not. Do you not see that in order to make the law effective, there must be a standard of value or price fixed for the purpose of reaching the individual? You leave it to the individual to state whether an article should be worth a dollar or a dollar and a half. That is not the principle upon which legal practice or

laws are founded in this country. They fix the principle upon which parties can be punished so that they know when they are offending. Such a law, in the first place, presumes a standard or value. You cannot have a standard of value. What have you to do then? If parties are buying up articles of a certain class for the purpose of forestalling the market you can reach and punish them. If companies exercise their corporate powers in a way which you think is wrong, or enter into a combination, the very fact of their entering into a combination constitutes an offence and you can punish them. The Americans saw the difficulty there. They are trying to get at it by the legislation which the hon. gentleman is introducing at the present moment, but I do not see how it is possible to arrive at a solution in that way. It is an offence against the community to unduly enhance the price and to make the consumer pay for an article that he uses for his daily sustenance an amount greater than he ought to pay for it. But how are you to reach this offence? Logically you have to have a standard of price in order to punish the offence. I do not understand how it is possible to make the law effective in order to punish an offence of this kind if you must have a standard price. The legislation which the hon. gentleman has introduced, calls for an investigation —into what? He does not call it a crime. If I understood him, the chief punishment against the individual is to be publicity. Publicity is sometimes resorted to; it is the modern legislation in the United States. It is used by the Board of Railway Commissioners of Massachusetts. That board has now power of enforcing its decision. It has no power to punish any infringement of what it decides is right. All the power which it has from the state is the power to inquire. It simply draws the attention of the community to the wrong perpetrated on the community, and leaves the correction of that wrong to the influence exercised by public opinion. I suppose that is the object here, but we are getting a very expensive machinery for the purpose of accomplishing it. If the party condemned does not mend his ways within ten days, his conduct constitutes a crime, and renders him liable to $1,000 penalty every day he continues that conduct, and to certain imprisonment. If it be a corporation that enhances prices, that corporation can be regulated by changing the customs duty. The government can take off the duty on the imported articles which enter into competition with the manufactured product.

As I have already said, if it be at all possible, some law ought to be made which will remedy the evil; but I do not see how under this proposed legislation, the hon. minister is going to accomplish what he proposes. He proposes to find out by investigation by a committee whether, in any given instance, prices have been unduly enhanced. That commission will have to determine what should be a fair selling price, based on the cost. That is a difficult thing to accomplish. I do not see how a commission investigating it, especially a judge, could determine with any degree of precision.

Sir WILFRID LAURIER. Is it impossible?

Mr. J. HAGGART. I know of no way at present to accomplish it.

Sir WILFRID LAURIER. Here is one suggested.

Mr. J. HAGGART. I do not think it will accomplish it.

Sir WILFRID LAURIER. Perhaps so.

Mr. J. HAGGART. Publicity will not accomplish it. Under the English law, the buying of articles on the market for the purpose of increasing prices is a crime. If a corporation should indulge in anything of that kind, its corporate powers will be clipped. The difficulty is the defining, or the fixing of what constitutes the crime and punishing for it. If the hon. gentleman's Bill should accomplish the object aimed at, and I hope it may, it will be a step in the direction every one wishes, and that is that every one who enhances the value of a public necessity for the sustenance of life, or the comforts of the people should be punished in some manner or another.

Mr. M. Y. McLEAN (South Huron). Although this is certainly a very interesting subject, I do not intend to occupy the time of the House except for a very few minutes. Indeed, I do not think that any exhaustive discussion of the subject is at all necessary after the exceedingly able, comprehensive, and interesting address we have just listened to from my hon. friend the Minister of Labour.

Mr. LEMIEUX. Hear, hear.

Mr. M. Y. McLEAN. I would not refer to the subject at all had I not on a former occasion drawn the attention of the House and the government to the dangers existing from the multiplication of these mergers or combines and a necessity for some legislation, which would enable us to regulate them. And I wish to congratulate the hon. minister, and the government on the promptness and courage they have displayed in bringing in this measure. I have considered this Bill very carefully, indeed; and in so far as I am able to judge, it meets the circumstances of the case al-

most at every point. It furnishes the necessary machinery now lacking, and provides a simple, easy, satisfactory, practical and inexpensive method of putting that machinery in operation. Futhermore it is designed to afford protection to the consumer without unnecessarily harassing, or worrying the producer, and I have no doubt it will have that effect. In fact I do not know of any country which has on its statutes a law so simple and effective as this one is likely to be. The difficulty in our present law, as has been explained very fully by the Minister of Labour (Mr. King) is this, that the burden of putting it into operation rests entirely upon the individual. While the exactions of these combines may amount to a very large sum in the aggregate, to the individual they may amount to only a very comparatively small sum, and consequently it is not worth while for an individual to incur the expense, odium, and trouble of conducting a prosecution, and therefore no action is taken, and the combines are permitted to go on and prosper. In my opinion this legislation is calculated to provide this missing link. From the study I have given the subject, I certainly think it will accomplish that object to a very large extent.

My hon. friend from South Lanark (Mr. Haggart) has expressed his general approval of the Bill, but doubts whether there is any possibility of finding out whether or not a combine exists. I do not think there should be any great difficulty on that score, because it should be tolerably easy to ascertain what is the proper price of an article, and the proper cost of producing that article, and what would be a reasonable profit. It seems to me there should be no serious difficulty in this matter, and I think that the proposed commission would be an excellent medium for that purpose. It may be asked, is there really a necessity for legislation of this kind? Have we any combines or trusts in this country that are actually injurious to the interests of consumers or any other class? Now, it is very difficult for any individual to say whether or not such combines or trusts exist; but, as has been pointed out by the Minister of Labour today, a very large number of—I will not call them combines, they have now the more polite name of mergers—a very large number of mergers have been established during the past year in addition to those which formerly existed. The avowed object of these mergers of capital is to reduce the cost of production, and I have no doubt that they will secure that object to a great extent; but if the cost of production is reduced, surely the price of the article produced should be reduced proportionately. Do we find that to be the result? It may be in some instances. I do not know one single instance in which that has been the result; but I do know of some instances in which we have been informed at least that the contrary has been the result. There are one or two instances which occur to my mind at the moment. One has been mentioned during this discussion, that is, the cement merger. This merger was organized during the past year. The price of cement, as I am informed, and believe, previous to the merger being formed, was a dollar a barrel. Immediately after the merger was formed and got into operation, the price was increased to $1.50 a barrel. There was also a merger formed of the carriage makers of the country, and I am informed that immediately afterwards the price of certain carriages was increased by at least 25 per cent. I am not prepared to say that that is wrong. I do not know that the price of these articles is greater than their actual value; but I do know that these increases have taken place since these mergers were formed, and I know that there is a very strong feeling in the public mind that these articles are being sold at too high a cost through the influence of these secret combines. I, therefore, think, that legislation of this kind is necessary, not only in the interest of the consumer, but in the interest of the producer—to give the consumer an opportunity of satisfying himself whether or not these combines exist, and if they do not exist, to enable the producer to free himself from the suspicion cast upon him. Without going any further, I have no hesitation in saying that this legislation shall receive my most hearty support, and I believe that it will receive the approval of a very large majority of the people of this country.

Mr. SPROULE. Might I ask the hon. gentleman a question before he sits down? I understood him to say that after the cement merger was formed, the price of cement went up from $1 to $1.50 a barrel. That is an increase of 50 per cent. The duty on cement is 12½ per cent.

Mr. FIELDING. 12½ cents per hundred pounds?

Mr. SPROULE. That would be 37½ cents a barrel. Does the hon. minister think that taking the duty off would bring the price of cement down to what it was before the merger was formed?

Mr. M. Y. McLEAN. There would still be a substantial reduction.

Mr. RICHARD BLAIN (Peel). Mr. Speaker, I have listened with great at-

tention to the speech of my hon. friend the Minister of Labour in moving the second reading of this measure. I am sure both the House and the country will be surprised to know that the government, which came into power with the promise that they would abolish all those things that enhance the cost of living, has been 14 years in power, and this is the first real effort they have made to introduce legislation to cure these evils.

Sir WILFRID LAURIER. Hear, hear.

Mr. BLAIN. I am very glad to hear my hon. friend the Prime Minister say 'hear, hear' to that remark, because he was one of the chief movers in an agitation to educate the people of this country to the idea that protection was all wrong, and that when his party came into power it would abolish protection, and when that was done there would be no combines or mergers to affect the prices of goods to the people of Canada. Of course, this is ancient history, and I am inclined to apologize for introducing it on a question of so much importance as the present question. But I would like to draw the attention of the House to the fact that it was not the present government that made the first effort in Canada to cure these evils, but the late government, who in 1889, put upon the statute-book a law which I propose to take a few minutes of the time of the House to place before the House and the country. That legislation was introduced under the direction and guidance of the late Hon. N. C. Wallace. It is chapter 4 of the statutes of 1889, and is as follows:

An Act for the Prevention and Suppression of Combinations formed in restraint of Trade.

(Assented to May 2, 1889.)

Whereas, it is expedient to declare the law relating to conspiracies and combinations formed in restraint of trade and to provide penalties for the violation of the same: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Every person who conspires, combines, agrees or arranges with any other person, or with any railway, steamship or steamboat or transportation company, unlawfully—

(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 to unreasonably enhance the price thereof; 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; or

(d) To unduly prevent or lessen competition in the production, manufacture, purchase, barter, sale, transportation or supply of any such article or commodity, or in the price of insurance upon person or property—

Is guilty of a misdemeanour and liable, on conviction, to a penalty not exceeding four thousand dollars and not less than two hundred dollars, or to imprisonment for any term not exceeding two years; and, if a corporation, is liable, on conviction, to a penalty not exceeding ten thousand dollars and not less than one thousand dollars.

This is the first and only law to be found on the statute-book of Canada which aims to deal with combines and mergers. It is fair to say that subsequently a clause was inserted in the tariff legislation of 1897 by this government, that aimed to cure these evils, and after that a Bill was introduced by the Minister of Inland Revenue, now the Minister of Marine and Fisheries, dealing with a similar matter. But, I am quite correct in saying that the legislation placed upon the statute-book by the administration of 1889 is the only special legislation aimed at dealing with this important question.

Mr. KING. It was in 1897, the year after this government came to power, that the government passed the first legislation dealing with this matter. When the hon. gentleman said it was in 1907, no doubt he doubt he made a slip.

Mr. BLAIN. Yes. 1897.

Mr. KING. I would like to ask the hon. gentleman whether the legislation he has just read added anything to the existing legislation on this matter at that time? Was it not merely declaratory of the common law as it then was?

Mr. BLAIN. I listened to the opinion of the Minister of Justice of that day as read by the hon. gentleman (Mr. King), but nevertheless I say this was the only Act, and while there may be some difference of opinion as to how to correct evils of this kind, I do not think the people of this country are anxious for more legislation. I do not wish to place myself in opposition to this legislation if it will assist in remedying the evils that are abroad in the land, but when we have a department of the government specially constituted for such a purpose as this—and we have more departments of government now than ever before in the history of Canada—why does not that department deal with it and not essay to introduce new legislation in an attempt to lead the people of Canada to think the government are providing for something that has not been provided for

in the past. I do not offer any special criticism to the department of the hon. minister, but I do not think it requires a special commission to discover evils which are plain to the eye of every man. It is quite within the competency of the Department of Labour to find out, with its present organization, whether prices are higher than they should be, and having found that out to correct the evils with the power already at hand. No doubt the Bill makes it easier for the public to institute proceedings to discover whether or not these evils exist, and it proposes that the government shall pay the costs of any trial of the kind whether the charges are true or untrue. That is helpful, and I have no opposition to offer to it. We on this side of the House will assist in every possible way in that respect. But what the people of Canada are looking for is not new legislation, but enforcement of the existing legislation, and what is the complaint against this government and against the Prime Minister?

Sir WILFRID LAURIER. There is none.

Mr. BLAIN. Oh, yes, there are many complaints, but my right hon. friend turns a deaf ear to them. The charge against this government and against the Department of Labour is, that the government does not put in force the laws already upon the statute-books in respect to combines and in respect to many other matters. Instead of the government striking at these evils with the ample machinery at present under their control, they are simply introducing a new remedy so as to lead the people of Canada to think that they are doing something for them. If the Minister of Labour had been able to come to this House and to state that he had investigated these evils and found they did exist in Canada, and that the government had put into force the legislation now at their command with a view to crushing these evils, he would have received the commendation of the people of the country, but, he has chosen to place another law on the statute-book which he asks the people to enforce, and not the government whose duty it is to enforce these laws.

Mr. F. F. PARDEE (West Lambton). The hon. gentleman from Peel (Mr. Blain) has not grasped the intent of this legislation. I take issue with him when he says that the legislation now on the statute-books might well be used to carry out the purpose of this Bill as framed. Looking at the legislation now in existence, it appears to me most distinctly that the machinery provided is absolutely not ample to give effect to the provisions of this Bill. If it were, I would agree with the hon. gentleman that we should not enact any more legislation than is necessary.

Mr. BRISTOL. Is it intended that chap. 41 of 52 Victoria shall be repealed by this Act ?

Mr. PARDEE. I should suppose not.

Mr. BRISTOL. If it is not, you will readily see that the right of every Crown prosecutor throughout the provinces would still exist on an information sworn.

Mr. PARDEE. That might be, but if the machinery provided in this Act is better than that provided in any other Act, surely it would be taken advantage of. Now, Mr. Speaker, after the extremely able and comprehensive speech by the Minister of Labour any further argument in favour of the Bill would be mere surplusage. I rose to say that I am heartily in favour of the Bill submitted by the hon. gentleman. There can be no doubt that there are combines and combines. In the old days we had the Farmers' Alliance, which started stores and gave to those in the membership of the Alliance cheaper goods than they had been hitherto getting, and we had also the organization of the Grain Growers of the West, the efforts of which were directed towards a similar end. These combines were certainly beneficial in their effects. But there are other combines which have an evil effect on the community, and it is at such that this Bill is aimed. There is a decided conviction in the public mind that whether or not it is merely a coincidence, the price of food and the price of the necessities of life are going up by leaps and bounds contemporaneously with the organization of these combines. The people of Canada are asking that the facts should be investigated and that machinery for that purpose should be provided by the government. The very title of the Bill gives its intent; it is an Act ' to provide for the investigation of combines, monopolies, trusts, and mergers which may enhance prices or restrict competition to the detriment of consumers.' The hon. member for Lanark told us that he did not think it possible that any commission could find out what did or did not enhance prices, but I hardly think the hon. gentleman was correct in that. Do we not know as a matter of fact that it is a systematized plan of the manufacturers that in many cases they do sell goods cheaper to the foreigner than they do to the home market? As I understand it, protection was put on for the sake of fostering industries in the Dominion of Canada and encouraging competition, but it certainly never was the intention that protection should enable these manufacturers to combine together and enhance the price of commodities to the consumers.

If, therefore, as I think there can be any doubt it will be shown and can be shown that foreigners receive goods cheaper than the home market, surely there is an en-

hancement of price to the home consumer. If that is so, it will be only dealing justly with the people of Canada that that should be taken cognizance of and that machinery should be provided to overcome that condition. There is no doubt that sugar, groceries, glassware, harness and similar staple goods are subject, if not to a combine, at least to sale at set prices laid down by a combination of manufacturers. The everyday consumer, farmer or other has to pay that. There is ample evidence of this, as can be shown by circulars of manufacturers, merchants and others. If that is so, the very first object of this Bill has been accomplished when it can be shown by evidence taken before one of these commissions that such prices are being charged by reason of the combine and the power of the commission to see that the goods are sold to the consumer at a fair price and at a reasonable profit. It is the duty of this parliament and of all legislatures to legislate in that way. We are here to legislate for the common good. We know that these abuses are committed every day. We know as a matter of fact, that in Toronto alone, there is one concern that makes thousands of dollars a year simply by collecting rebates and discounts from the jobbers by reason of the combines agreeing to sell only to them. Surely this should be remedied by this parliament at the first opportunity. I say that simply because the farmer, by reason of the enhanced prices, and not because of any combination on his part, but simply by reason of the ordinary law of supply and demand, is now receiving good rates for his produce, and goodness knows the farmer deserves to do well, because for many years he barely made a living and had hard work at that, it is not right to say that he can go on paying for the commodities that he uses at these enhanced prices. I say that he and every other consumer has a right to be protected by this parliament and, therefore, I think this legislation is absolutely necessary.

Mr. G. TAYLOR. My hon. friend and others have been talking in reference to the Bill. As I understand, we have no Bill before us, but simply a resolution, and it might be better to pass the resolution and have the discussion on the Bill itself. I understood it was the wish of the Prime Minister that we should have this session close by the first of May. I do not see how he can intend that when his minister in introducing this Bill has spent three and a half hours.

Sir WILFRID LAURIER. Well spent, even if we prorogue on the second of May.

Mr. G. TAYLOR. Is it the intention of the Prime Minister as soon as the resolution passes, to take up the Bill and then have the discussion in committee?

Mr. PARDEE.

Sir WILFRID LAURIER. Hear, hear.

Mr. J. A. CURRIE (North Simcoe). This Bill, to my mind, savours a good deal of class legislation, and we should be very careful how we deal with this matter. It has been brought into the House by the Minister of Labour, I believe largely for the purpose of meeting the reflex echo of a tremendous muck-raking campaign that has been carried on in the United States against the so-called trusts and combines. I have heard many members of the House to-day state that there are combines and trusts in this country. I challenge any one of those members who have made that statement to name a combine in this country, not a merger, a combine. You see there is absolute silence, there is not a member here who can of his own knowledge say there is an actual combine. That shows this legislation is largely the outcome of newspaper bunkum, and my hon. friend the Minister of Labour is the most assiduous reader of newspaper and publicity in the House. There are combines and mergers, and the distinction must not be overlooked. I have a great deal of respect for the hon. member for Red Deer (Mr. M. Clark), because he goes to the bottom of all questions, argues them from the beginning and takes a reasonable view. When the government place a protective tariff around the country and place the men with blue coats and brass buttons around the barriers, there is no question that that forms a trust. After a while when we have practically established industries in the country and they find that they are cutting into each other's prices, there has been in the past a tendency to form what are called combines. A combine is formed when half a dozen manufacturers of an article, or all the manufacturers of an article in the country, meet together and fix the price. They can do that to-day and can evade the Criminal Code and this Act and everything else. As a matter of fact, there have been prosecutions—I was going to say persecutions, because these criminal prosecutions have really resulted in destroying the health and the mentality of good men in this country, these prosecutions of men simply because three or four of them get together and say: We cannot afford to sell except at a certain price, and agree to that and fix the price. For this they were placed in the criminal dock. In the United States they have had similar prosecutions. But to-day there is a changed condition of affairs brought about by these prosecutions. What is that changed condition of affairs? They have accentuated this thing and made it worse still, they have brought about the merger. Men take advantage of the joint stock companies law, they issue stock in a company embracing all their factories, and

in that way there is only one company in the country carrying on business, just as the hon. member has mentioned in the case of the cement merger. Let us get down to business and see whether we are doing justice to all parties concerned.

Mr. KING. Do these prosecutions take place under the Criminal Code?

Mr. J. A. CURRIE. I have had no experience, but I know they have been conducted. A number of our leading men have been brought into the criminal court, and their cases have been held for months and almost years, they have been penalized by expensive lawyers, and one or two of those attacks on so-called combinations have not been finished yet.

Mr. KING. Is the hon. gentleman aware that it is under the law to which the hon. member for Peel (Mr. Blain) has made reference that all these prosecutions have taken place?

Mr. J. A. CURRIE. I grant that that law should be changed in some respects because I do not think it is fair that these people should be prosecuted when another branch of labour is allowed to go free. Now let me see. You would take in the manufacturing business, and the manufacturing business seems to be the one that is going to be subject to the imposition. Every one seems to have his harpoon in the manufacturer. When the interests of the manufacturer suffer the interests of the labourer suffer; because if you close up the factories of this country and throw down the tariff walls, as is proposed to be done in some of your legislation, what happens? You are escaping from one small trust to get under the heel of a greater trust, because that is what will occur. If you throw down the tariff wall between this country and the United States, are you going into a country where everything is free, where labour is free, and there are no trusts? No, Sir, you are immediately placing the industry of this country under the heel of a greater trust. The hon. member for Lambton sits for a riding where the greatest trust of this country has its headquarters, and that is the Standard Oil Trust. If you conduct business in that way you are going to throw this country absolutely under the control, not of a national trust, but of an international trust.

Now let us follow this thing logically. There are three interests concerned in this attack. One is capital. We have no sympathy with capital, of course, because the newspapers, and all the novelists and everybody who writes about everything are down on capital. But capital is very necessary sometimes when there are hard times, or when you want to buy a meal. The interest of capital is altogether forgotten in this Bill. Another interest is that of labour. Now what happens to labour? I believe that labour ought to be protected to a certain extent, and that capital should be protected to the same extent. As it is to-day, the manufacturer finds himself up against these conditions. He finds that his men all combine, and form a labour union, and they say: We won't sell our labour to you except at such a figure. I have scanned this Bill, and I must tell the Minister of Labour that after reading the provisions of this Bill it seems to me that the machinery of this Bill can be brought against a labour union, it will be brought under the action of this Bill just the same as any other institution, there is no protection for them. But the tendency of the law in his department has been to say to the labourer, who forms only one element in the community: We will protect you in seeing that you may not sell your labour except at a certain figure. But after the manufacturer has put his capital into this business, after he has bought his raw material, and put his machines to work, after he has finished that stuff, if he tries to protect himself in any way, or joins another manufacturer, and they say: We cannot sell this stuff except at a certain figure, having regard to what it has cost us, then those manufacturers are proceeded against. I believe the only correct way to deal with this question is to deal with it from the broad standpoint of the common law. As the hon. member for Red Deer (Mr. Clark) says, let there be absolute freedom in these matters. The more you institute class legislation, the more you are setting class against class, because when you start to protect the interest of one class you are injuring the interest of another class.

This Bill proposes to deal with combines. What are combines for? Combines are for the purpose, not of enhancing prices—the Minister of Labour is so far off the mark that he does not know what he is talking about when he makes a Bill of that kind. The first object of a combination is to eliminate competition. If there is freedom of competition, the hon. member for Red Deer will tell you, prices will be at the normal and proper value. In order to enhance prices you must eliminate competition, is that not so? Does this Bill deal with the elimination of competition? No, it proposes ostensibly to deal with enhanced prices. Now, let us get down to the prices. The hon. minister stated that the board would go to work and ascertain the cost, and the hon. member for South Huron (Mr. McLean) said that the cost of these things will be got at. If either one of these gentlemen are capable of getting at the

cost of anything, there are lots of big institutions in this country that will give them $10,000 a year if they will tell what actual costs are going to be. There is a branch in every successful enterprise that does nothing else but keep track of the costs. The cost to-day will be a certain figure on a certain article; to-morrow, even so small a thing as the humidity of the atmosphere changes the cost in a great many cases. You will be surprised to know that there are so many conditions constantly changing that you cannot get at the real cost of an article; so he is travelling very far afield.

Again I say that this legislation is of a vicious character. Why, it would have been well for us to have halted and not have gone on with any of this muck-raking legislation this session, because the United States papers that I have read, the financial papers, have been pointing to Canada as a country of level-headed business men, as a country where capital is to receive a certain measure of protection. Now, they claim there is no protection to capital in England, which country is sending it over here by the wheelbarrow load, and in the United States they are prosecuting capitalists, and the capitalists of the United States are beginning to say: Well, Canada is going to be a great country in the future, the legislatures of Canada have great respect for capital. For that reason, I say that it is extremely unfortunate that we should introduce into this House, at this period, legislation of that kind, legislation that can be by any means construed as an attack on capital. I regret very much to hear the remarks made by some hon. members here to-day who take class views of this matter. I am just as much opposed to combinations as any man. I could name you one or two combines which are to-day forming mergers or trusts, and there is no law that can be passed in this House that will reach them. Once a great big merger is formed in the manufacture of any article, that moment competition ceases, because no one will venture his capital into that line in opposition to trust.

There is another feature of this legislation that I think this House should consider very seriously. There is no question that at the bottom of all those social questions—for this is after all a social question—there is springing up various ideas of a socialistic character, opposition to one class or opposition to another. The greatest interest possibly in this country to-day is the commercial interest; because when a man speaks of his riding, when he speaks of the growth of the country, when he speaks of the growth of his city, he means its commercial greatness, does he not?

Now, the one interest that is not represented by a committee of this House whereby it may be protected, the one interest that is not represented here by a minister with a committee behind his back, is the commercial interest and manufacturing interest of this country. I hope that this House will take that question seriously into consideration. Why should these great interests be subject to penalization constantly? Why should not the manufacturing and trading interests of the country be represented in this House just as well as the labour interest? I do not deny my good friends on the side of labour for one moment their right to be heard here, or elsewhere. I have always listened with a great deal of admiration and respect to those men who represent labour. They are not hypocrites. They know what they want, and they rise and speak their own minds here. But, when it comes to a question of the manufacturers it is different. The manufacturers are essential, because if you close up the large manufactories the labourers of this country would suffer, they would have to close their homes and go to foreign countries, where the articles are manufactured that should be manufactured in Canada.

An hon. MEMBER. Who will buy from the manufacturers?

Mr. J. A. CURRIE. Nobody, for the simple reason that the moment that you make it impossible for the manufacturer to manufacture he must close his door. I know something about cement which is spoken of here. What was the matter with cement? Competition had reached such a keen state that the manufacturers of cement were actually selling it at from fifteen to twenty-eight cents a barrel less than it cost them. What brought this about? There is, in the United States, a great big cement trust whose headquarters are in the Alleghany and Lehigh valleys. That company came to this country, established a branch and said to the manufacturers: We are going to drive you out of business or you will have to come into the trust with us. At the time cement was selling $1.50 a barrel but in the face of that they sold their cement for 95 cents and forced the Canadian companies to form a merger of which they are the largest part and which they now control. That is how you have got your price up to $1.50 a barrel to-day. If the manufacturers in Canada are not to have freedom of contract there is not a line of manufacturing but what, in three or four years, will be forced to go into these mergers or forced out of business by the American trusts, and there will be nothing that will not be

controlled by foreign trusts with enormous capital. I trust that this House will send this Bill to a committee. I realize that there are interests at stake, such as those of the consumer, which should be recognized. I realize that it is a great wrong that manufacturers, or any other class of the community, should be allowed to combine to the detriment of the public or to enhance prices, but at the same time, in looking at this question, we should look at it judicially and not take a one sided view of it because the question is too great a one for such treatment, and if we appoint a committee to take this Bill into consideration we should also consider the advisability of the establishment of a committee of this House on trade and commerce as we have a committee on public accounts and marine and fisheries. If this were done the labouring interests, the consumers and the manufacturers could come and tell their story to the members of this House and we would get at the actual facts and not be rushed into hasty legislation through a lot of mere newspaper talk. My hon. friend from Red Deer (Mr. Clark) is a great free trader but, if before that committtee he found that anything was going to injure this country I am satisfied that he would stand shoulder to shoulder with any man here in advocating that which was in the best interests of the country. I am one of the protectionists, so-called, of this House, but while that is so, if it were shown to me that our country was going to be benefited by free trade I would be willing to foreswear my allegiance with the protective party and join his ranks. We have no means of hearing the arguments of those interested at the bar of this House, or before any committee, and I hope this Bill will be threshed out well in committee and a hearing given to all interests concerned. If that is done I do not think this Bill will emerge in the form in which the Minister of Labour has put it. I know he is a young man and enthusiastic upon these things, but I think he is too much inclined to look upon them through spectacles that only give him one vision of the conditions with which he is attempting to deal. We remember the old story about the two parties in Rome that quarrelled, and when one took the opposite side to the other and threatened to start another city they were told that one part of the body could not get along without the other. It is the same here; the interests of the manufacturer, the labourer and the consumer are so closely interlaced and identified that we cannot do justice to the country unless we consider them all.

At six o'clock the House took recess.

After Recess.

House resumed at eight o'clock.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

On the order being called:

Third reading of Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company.—Mr. Pardee.

Mr. LENNOX. The hon. member for North Ontario (Mr. S. Sharpe) has moved an amendment which I understand is not ripe for consideration, and at all events the hon. gentleman is not present. It will not prevent the passage of the Bill, or occasion any inconvenience if it is allowed to stand until Friday.

Mr. GRAHAM. The hon. member for North Ontario is in the city just as my hon. friend (Mr. Lennox) is. We are near the end of the session, and surely it is time that hon. gentlemen got down to work if they want the arrangement of the leaders to be carried out. This Bill has been talked over day after day and night after night and week after week, and this motion means, I suppose, that it be referred back to committee. Surely it is not advisable to take a vote with such a thin House. Every amendment that could possibly be conceived was moved to the Bill, and this amendment now proposed is merely an afterthought. I want to be reasonable, but I think hon. gentlemen opposite should be reasonable also.

Mr. SPROULE. The hon. gentleman says we are near the end of the session, but he must forget that we have the Insurance Act, the Naval Bill, and other important government measures which will take up the time of this House for many weeks yet, so that we cannot be near the end of the session. The delay asked for will not prevent the Bill going through.

Mr. GRAHAM. Well, let it stand.

THIRD READINGS.

Bill (No. 79) respecting the Hamilton, Waterloo and Guelph Railway Company.—Mr. Harris.

Bill (No. 116) to incorporate the Toronto Eastern Railway Company.—Mr. Fowke.

COMBINES INVESTIAGTION ACTS.

The House resumed adjourned debate on the motion of Hon. Mackenzie King for the House to go into committee to con-

sider the resolutions in connection with Bill (No. 101) respecting the investigation of combines, monopolies, trusts and mergers.

Mr. SPROULE. Mr. Speaker, when the minister first introduced the Bill respecting combines he asked for the support of the House, and I frankly told him that if it commended itself to my judgment it would certainly have my support. I agreed with him that some authority was needed to control combines, trusts and mergers. Since then I have examined the Bill somewhat cursorily, and I must confess that I was surprised and disappointed that it simply is a measure providing for inquiry and report. The minister told us that he depended more upon publicity to cure the evil than upon penal legislation, and in pursuance of that idea he has provided no penalties in this Bill for infringement of the Act. The hon. gentleman told us also that the Combines Bill of 1889 failed of its purpose though the penalties under it were severe, but let us inquire why that Act was a failure. We were given the opinion of the late Sir Oliver Mowat, who, when asked to punish those who were acting in violation of that law, stated that although the attorney general of each province was charged with the responsibility, no attorney general could hope to successfully enforce it. He said it was impossible to go into court and prove what was unduly or unreasonably enhancing the value. It was the very wording of the law which made it useless, and worse than a waste of time to attempt to enforce it. Now, how came that law to be enacted in that way? It was not the late Hon. N. Clarke Wallace who introduced it in that form at all. It was amended in that way in the Senate. I was there and assisted Mr. Wallace as best I could to get the Bill through the Senate as it left this House, but we were unable to prevail on the members of that honourable body to put it through as it left this House. They amended it by introducing the words 'unduly' and 'unreasonably' in it, making it so that it was of little value thereafter. That was the cause of the failure of the law, and not because it imposed a penalty for the violation of the law. We appealed to the federal parliament to enforce the law, but they said it was not the duty of the federal parliament to enforce any law, but the duty of the province. When we appealed to Sir Oliver Mowat, he gave the reason I have stated why the law could not be enforced. Therefore it was not enforced, and was not effective. But the hon. member said what was true, that the evidence taken before the commission of inquiry, and the facts disclosed to the world had such an effect that a number of combines ceased to operate, because of the publicity. Some of them did not, and to that extent it did good, but it did not go as far as it ought to have gone. Who is responsible, I ask, for that law having been a failure? I say the present government are responsible. In 1899 I introduced a Bill for the purpose of amending section 520 of the Criminal Code by striking out the words 'unduly' and 'unreasonably.' I got that Bill through this House one session, but it was thrown out by the Senate. I got it through both House the next session. But who amended that law? It was the present government, by the then Minister of Justice, now Chief Justice of the Supreme Court. He slipped through an amendment to section 520, of the Criminal Code, restoring those objectionable words, and it passed this House without my knowing it. When the Bill to amend the Criminal Code was before the House, I asked for an explanation, and the hon. member was cute enough to explain several clauses of the Bill, but refrained from saying one word as to this; and, not being a lawyer, I did not pay as much attention to the Bill as I ought to have done. From that day to this no attempt has been made to enforce the law, and if it is a failure the present government are absolutely and unequivocably responsible.

Mr. KING. In addition to the words 'unduly' and 'unreasonably,' was not the word 'unlawfully' also in the Bill as it first passed this House, and I think the word 'unlawfully' was stricken out in the Senate, and the words 'unduly' and 'unreasonably' left in.

Mr. SPROULE. The word unlawfully was never called in question, so far as I know. That was not what affected the law. It was the words 'unduly' and 'unreasonably.' If the law was a failure, the present government were certainly responsible for it. The present government deluded the country for a length of time by saying that they had made a better provision in the law. They inserted a provision in the Tariff Act saying that where it was established to the satisfaction of the Governor in Council that there was a combination in restraint of trade upon any article imported into this country upon which there was a duty, the Governor in Council might admit the article free of duty or so reduce the duty thereon as to give the public the benefit of reasonable competition in the article if it appeared to the Governor in Council that such disadvantage to the consumer was facilitated by the duties imposed on the article. Now, I brought to the attention of this House the grievance of those parties who were affected by the leather combine,

and read their affidavits made under oath. It was proven up to the hilt, in a very elaborate case, prepared by Mr. Garrow, before he was appointed to the bench, that the combine gave a rebate of 5 per cent to certain firms who handled certain kinds of leather, and thereby made it impossible for those who would not agree to buy from them to carry on business as they had done previously.

Right in my own village there was a tannery that was making certain kinds of leather. The tannery was unable to sell in Toronto to the firm it used to deal with on account of this combine. I have letter after letter from men in the tanning business in exactly the same position. They could not sell the leather because they refused to enter into this combine. I had the arrangements that were made and declarations by a large number of eminent men in that line, creditable witnesses, who were prepared to prove the combine was a nefarious one, but although I called upon the government to act, they refused.

Mr. FIELDING. If my hon. friend will look into the case, he will find that action under the tariff law would not have granted the relief he desired. If the duty had been taken off leather altogether, the very small tanner, in whose interests my hon. friend was pleading, would have been affected. That was a case which did not come within the tariff law.

Mr. SPROULE. The hon. minister is mistaken. What these men requested was that the duty should be taken off the kinds of leather in which this combine was principally dealing, such as Spanish soles, and which were not tanned in the small tanneries. But why could not this agreement have been attacked under the Criminal Code, had the government desired to break up this combine, or under the customs law which they professed to have made for that purpose. But they did absolutely nothing. Mr. Smith, of Chatham, told me that Beardmore and Company of Halton, Mr. Charlie Hyman, of London, Mr. Davis, of Newmarket, were in the combine and, as these were friends and supporters of the government, the government refused to act. I was, therefore, justified in making the statement I did this afternoon, and which I did in 1907, namely that the government would not be likely to act against any combines in which their friends were interested. Experience has justified the forecast I then made. If the present Bill were to be effective, I would gladly welcome it, but I am inclined to think it will not. Why? Because there is no penalty. What is publicity? The weakest feature of the Railway Commission in the United States today is that they depended on publicity; but they found that, when they came to put the Act in force, it was comparatively a failure. Some say that its failure was due to state rights, but I met one of their own men who reviewed the subject very carefully and intelligently, and he said that the weakest feature of their Act was the lack of power to enforce it, and inflict a penalty for violation of it.

Mr. KING. Possibly my hon. friend has not read the penalty clauses of this measure. The difficulty in connection with the alleged leather combine which he mentions, he says, was that he could not get the government to move and ascertain whether such a combine existed or not. But under this Bill any individual can start the machinery for investigation; and if the investigation shows that a combine exists, the Governor in Council has power to remove or lower the tariff on the finding of one of these boards.

Mr. SPROULE. What clause gives that power? You have repealed section 12 of the Customs Act of 1907, which deals with it.

Mr. KING. Section 21 provides for the removal or reduction of customs duties in order to secure reasonable competition. The clause repealed of the Tariff Act of 1907, is carried over into this Bill with the additional provision that the finding of a board constituted under this measure, may be a sufficient warrant to the Governor in Council to take action, and similarly as respects the Inland Revenue Act, if it is shown by one of the boards that a combine exists among dealers with regard to goods, for the sale of which they must obtain a license from the Department of Inland Revenue, a clause in that Act would permit the Governor in Council to cancel the license. A similar cause exists in this Bill with regard to cases in which it is shown that the holders of patents are taking advantage of them to the prejudice of the public. In addition to these penalties, if it is found that the parties are guilty of a course of action detrimental to consumers, and against the interests of the public the parties so reported against do not comply within ten days in making the change desired, they are liable to a specific penalty provided in this Bill.

Mr. SPROULE. Where is that penalty?

Mr. KING. That is section 23 which imposes a penalty of a general nature on com-

bines, restricting manufacture or competition, my hon. friend could hardly have noticed this section.

Mr. SPROULE. I went through the Bill hurriedly and did not notice it, and of course that section is an improvement. There are many articles which are the subject of combine and in regards to which the changing of the customs duty would not be an effective remedy. Unless we are able to attack these combines under the Criminal Code or unless some other penalty be imposed, the Act would only be partially successful.

Mr. KING. Quite so.

Mr. SPROULE. That would make it a great deal better in my judgment and give it some value, but I do hold the opinion very strongly that while publicity may sometimes prevent the doing of improper things, it does not go far enough. With reference to the Labour Act, which we passed, to my mind, that was its defect. No doubt the hon. minister will contend that that Act has been very valuable.

Mr. KING. Hear, hear.

Mr. SPROULE. It has been of some value, but if there had been put into that Act a compulsory arbitration clause, it would be much more valuable. That is what the Australians think.

Mr. KING. I do not think their Act has proved as effective as ours.

Mr. SPROULE. I think it has proved comparatively successful. I have followed up its workings and the Australians give it credit for doing a great deal of good. Take our Railway Commission. The first proposal was to establish it on the same lines as the United States Railway Commission, but that was proved a failure because it has no power to order and compel the doing of certain things under a severe penalty, so we clothed our Railway Commissioners with authority to compel that to be done which they ordered. Therefore, ours has proved much more effective and valuable. The defect in this Bill would be in my judgment where we did not take power and authority, over and above publicity to enforce our ruling and the right given to individuals to put the law in action whether the government be willing or not is a move in the right direction. But over and above all that what is required is an effective penalty that will compel combines to observe the law and punish those who violate it.

Mr. WRIGHT: I am very pleased to think that the government have at last taken up this matter. I think this is the first practical step they have taken in the thirteen years they have held office as an attempt to deal with what is considered a very serious problem. The idea prevails pretty generally that the consuming public of this country are being taxed unduly by what are generally termed combines. Whether that prevails to the extent the general public believe or not, I am not prepared to say, but I do believe there are instances where combinations to unduly enhance prices do prevail. The impression prevails in some quarters that this can be cured by a change in the tariff. I do not myself believe that very much can be done in that direction. The hon. member for Red Deer (Mr. M. Clark) attempted to deal with that aspect of the case and left the impression on those who had not considered the matter very carefully that the whole trouble arose from our having what is termed a protective or revenue tariff, and I think he left the impression on the House that it was only in countries like Canada and the United States, which have protective tariffs, that combines can grow and flourish, and he gave us an instance of an attempt to form a combine in Great Britain by the Lever Soap Company, stating that the people had boycotted that firm and had succeeded in breaking up the combine. He did not tell us the reason why the people objected to the combine . The reason was that they had been bitten by other combines in Great Britain. The combine is a modern development of trade which will flourish in any country without regard to the kind of tariff policy that country may have, and in order to show this House that that is true, I purpose reading a list, if it is not too long, of combines as they flourish in Great Britain, and I would especially comend it to the member for Red Deer. The list is as follows:

Company.	Industry.	Firms.	Capital.
Wilson Union and Tube Co	Tubes	3	$ 1,000,000
United Turkey Red Co	Dyeing	4	7,500,000
Curtis and Harvey	Gunpowder	8	4,340,000
British Dyewoods and Chemical Co	Dyes	4	2,850,000
Aberdeen Comb Co	Combs	3	1,437,000
Rickett, Corkerill and Co	Coal selling	2	4,500,000
United Indigo and Chemical Co	Dyes	8	1,200,000
Textile Machinery Association	Wool Machinery	7	1,450,000
Calico Printers' Association	Calico-printing	47	41,000,000
English Velvet and Cord Dyers	Dyeing	22	3,500,000
Thames Iron Works	Shipbuilding	2	4,500,000
John Brown and Co	Shipbuilding	34	12,000,000
Wall Paper Manufacturers	Wallpaper	31	20,000,000
British Cotton and Wool Dyers	Dyeing	51	9,460,000
Yorkshire Dyeware and Chemical Co	Dyes	5	1,470,000
Bleachers Association	Bleaching	53	34,100,000
Associated Portland Cement	Cement	28	32,440,000
Rivet, Bolt and Nut Company	Rivets, etc.	15	2,000,000
United Velvet Cutters' Association	Velvet	5	1,000,000
Extract Wool and Merino Company	Wool	7	1,350,000
J. and J. Baldwin & Partners	Knitting Yarn	5	3,750,000
Leeds and District Worsted Dyers	Dyeing	10	1,130,000
English Fustian Cutlery, Etc	Fustian	5	2,500,000
Dorman, Long & Company	Steel, etc	3	16,500,000
Metropolitan Railway Carriage and Wagon Company	Wagons and Cars, etc.	6	8,375,000
Baldwin, Limited	Iron	5	5,500,000
Guest, Keen and Nettlefolds	Iron and Steel	3	22,650,000
Imperial Tobacco Company	Tobacco	20	101,200,000
United Carlo Gatti	Ice	3	1,900,000
Salt Union	Salt	64	13,000,000
United Alkali and Chemicals	Chemical	51	42,102,000
J. & P. Coats	Thread	5	55,000,000
English Sewing Cotton	"	15	15,000,000
Vickers Sons & Maxim	Steel ships	6	32,250,000
Shel Transport Trading Co	Shipping and oil	11	15,000,000
Nobel Dynamite Co	Explosives	4	13,925,000
Cotton Spinners and Doublers	Spinning	47	33,250,000
Bradford Dyers Co	Dyeing	34	21,125,000
Borax Consolidated	Borax	12	12,750,000
Linen Thread Co	Linen thread	6	10,000,000
W. Cory & Sons	Coal selling	8	13,650,000
Armstrong-Whitworth Co	Engineering	2	25,204,000
Buxton Lime Furnace Co	Lime	12	2,612,000
Leeds Fire Clay Co	Fire clay	7	6,300,000
Bath Stone Firms	Stone	7	1,250,000
Horrocker, Crewden & Co	Spinners	3	4,625,000
Wilson, Furnace, Leland	Shipping	3	1,570,000
Broonhill Coalers	Coal mining	4	3,375,000
British Oil and Cake Mills	Oil cake	18	8,750,000
York Indigo Scarlet Dying	Dyeing	11	2,340,000
Bradford Coal Merchants	Coal selling	8	1,250,000
Barry Ostlen, Linoleum	Linoleum	3	4,920,000
Yorkshire Wool Combers	Wool combing	41	9,520,000

These are a few of the larger ones, and you will have perceived, Mr. Speaker, that I have dealt with no combine with a capital of less than a million dollars. There are innumerable smaller combines dealing in almost every known article used in Great Britain. Now I do not think that by changing our tariff it will meet the difficulty that presents itself. The question that presents itself to my mind is just how far the minister would go in the application of his measure. In dealing with matters of trade there are so many things that at once arise, many small considerations that might not seem large in themselves, but where a principle is at stake. We will suppose that in a village or town the barbers get together and say: We cannot cut hair at the same price as we did before, and they form a combination to keep the prices up to a certain figure, and they give notice that after such a period they will charge a certain price to customers. This runs through the shoemakers, the blacksmiths, the carpenters, and through all the trades with which the people are dealing. Would the minister, in the application of this measure, attempt to deal with all these small matters? If he attempts to do that, it seems to me he will be trying to deal with a very large problem indeed.

Mr. KING. I understand the hon. gentleman is asking me a question. Several points have been raised in the nature of questions such as the hon. gentleman has just put, and I think it would be more convenient to answer them in committee. If hon. members will adopt the resolution and pass the second reading of the Bill and get at once into committee, then I could answer all these questions and save a good deal of time.

Mr. WRIGHT. I am willing to leave these matters for the minister to answer them in committee. I may say that so far as I am concerned I believe that the minister is moving along the right line. He seems determined to grapple with this question in a vigorous way, and for that I commend him. I think he is moving in the right direction. I believe that all combines have the effect of enhancing prices to the consumer. I do not care whether the combines are entered into in Great Britain, or in Canada, or in the United States. I do not care what kind of trade policy a country may have, when these combines are brought into play they have the effect of lessening competition, and when you lessen competition I think the natural outcome is an increase in price. Suppose three or four storekeepers get together and make a combine and agree to operate under one management, that eliminates competition, and the result is a general increase of price. I do not suppose that all the combines that are entered into have the object of raising prices. There are many other factors that move men to form combines. I think one chief reason is to do away with a great deal of expense, and there are many other reasons why it is more profitable for several firms to come under one management. But the result generally is that the people will pay a little more for the article than they would pay otherwise. People are complaining a great deal now of the cost of living, particularly of the cost of food stuffs.

Now a great cause of the increase of prices is the failure of supply to meet the demand. Some people argue that by free trade you would diminish the cost of living. Supposing you took down the bars altogether, it would not make much difference. The people have to live on the produce of the farms, and I do not believe that the farmers are getting higher prices than they are entitled to. But I do think something might be done in the way of lessening the cost between the original producer and the consumer, and that is one of the reasons why I advocate a home market, and the bringing of the consumer and the producer together. That will provide a home market for the farmers of this country. But that is not what is aimed at under this Bill, this is not the occasion, I suppose, to discuss that question. I simply rose to say that this is something that will have to be grappled with. The combines and the effect of combines are something the government will have to take hold of and deal with in a drastic manner. It will not do to put some little Bill upon the statute-book and leave it there, and let things drift along. We will have to take hold of the problem in a way that will touch any firms that get together and form a conspiracy—to increase prices where there is actually a conspiracy it comes under the Criminal Code. A weak point in the Bill, to my mind, is that there is no proper method of getting hold of that evil. Another very serious difficulty is that of arriving at the value of articles. I do not think that, unless some tribunal is arranged for, that the minister can make his Bill effective, and that it will satisfy the general public, people that are charged with making a combine and people that are affected by a combine, some tribunal to which both sides can appeal with confidence. Without such a tribunal I do not see how you are going to get at the facts as to whether a price has been unduly increased or not. I do not see how the board that the minister purposes introducing will deal with that effectively. He is going to appoint two men to that board, and they will be required to investigate the facts. In the processes of manufacture there are a great many things that enter into the cost of the product. It requires long experience and an intimate knowledge to enable a person to determine the question of actual cost, and to say whether the price is too great or otherwise. I would rather leave it to a general commission, something after the manner of the Railway Commission, which would be the proper method of dealing with the question, rather than that it should be left to people selected on any particular occasion when a charge happens to be made. I think a general commission would be much more effective, because, from the commencement, it would be gathering an amount of information which a commission appointed on the spur of the moment to deal with one particular case could not possibly obtain. The Railway Commission, from the commencement, have been gathering information in regard to all matters connected with railways. This information will be very valuable to have in our possession later on. The minister proposes, when the charge is made, to appoint somebody who has had no previous knowledge of the matter—one to be appointed by the parties interested and one on the other side—and they would go into the question, but it does not seem to me that they would be able to deal with it effectively.

Mr. KING. As to not having persons of previous knowledge on the board that

it is intended to appoint, the representatives of the parties laying the complaint in all probability would chose an expert, or a man who had a special knowledge of the conditions that they wished to inquire into, and in the same way the combine is likely to choose the man most familiar with its business. In that way you are sure of getting two men with a special knowledge of the things which are to be inquired into.

Mr. WRIGHT. I presume that there would not be much difficulty from the standpoint of the combination, which, no doubt, would be in a position to pick out a man from their own establishment who was familiar with the conditions of that establishment. But when the minister goes outside and looks for a man who has never been in the establishment, has no connection with it and could not possibly have an intimate knowledge of its affairs, I do not see how he would be in a position to get a suitable man for the other side. However, it is not my intention at the present stage to say anything further in regard to the matter.

Mr. M. CURRIE (Prince Edward County). It must be generally admitted that the Bill introduced by the hon. Minister of Labour (Mr. King) will have a marked effect in correcting influences which we all feel are at work to-day. However, I believe that most of us recognize the fact that while the evils are a constant condition, the means that we are adopting will only be employed occasionally, and that if we can devise a measure which would be in continual operation on the evils of trust formation and at the same time not interfere with capital we would be taking a step in the right direction.

It has been said this afternoon that we should delay this matter for another year. I believe that the present is the most opportune time to act. We have at the present time, to be sure, a large number of pools and combines, but in so far as the more advanced forms of trusts are concerned they are not particularly numerous as yet. However, in the last few months we have had several in course of construction, and when we look back to the years 1898, 1899 and 1900 we will see an interesting condition of affairs. These were the years in which prosperity was returning to the United States, and these were the years in which trusts were most actively promoted. In this country at the present time we are at the threshold of an era of prosperity, and we may probably expect a number of trusts to be formed in practically all departments of manufacture in the next three or four years. For that reason, before we have vested interests and strong influences to contend with, I think it would be opportune for us to adopt some legislation which would control the matter of trust formation.

I may say that an examination of the conditions under which trusts are formed leads me to think that they have many economic advantages and that they may be of great benefit to the community at large. I wish, first, to run over shortly some of the minor benefits of trust formation. For instance, we have the concentration of office forces, the distribution of special processes and patents, the employment and specializing of the best talents, the very large element of saving in the matter of cross freights under agreements which may be made with the railways, alliances for banking with financial houses permitting them to secure better rates in respect of their short loan, the reduction in the number of selling agents, reduction in the cost of advertising, self insurance, and advantages in securing raw materials, which we see exemplified especially with respect to the United States steel corporation. Those that I have mentioned are simply the minor advantages of trust finance. Simply looking over these minor advantages, I think we see that the trust is of economic importance to the public. However, we have major advantages, and it is in connection with these that we find most of the difficulties which are to be met by legislation. We have, for instance, the control which the trusts have over labour and labour organizations. An independent concern having its contracts to fill can be held up at almost any time by a labour organization, and will in the vast majority of cases be compelled to accede to its demands. In the case of a trust we have something entirely different, and as we know by the many instances which have occurred in the last ten years, labour unions and labour organizations can be fought by a trust when they could not be met by an independent operator in the same way. Another thing that we have is the control by the trusts of the jobbers, wholesalers and middlemen in general, and here, as has been said by several speakers this afternoon, is where we find the process of compelling wholesalers to buy only from them and not deal with an independent manufacturer. The last and greatest benefit of the trust formation is the elimination of competition. That factor is one which will not be acknowledged, perhaps, by many of those representing the trusts, as the most important factor. In looking over the investigation of trusts by the United States government, and especially the investigation conducted by the Lexow Commission, you find that the officers of the trusts always quibbled upon this matter. But there happens to be abundant

evidence of it in connection with the prospectuses and formation of these trusts. I believe that trusts are of economic value, that they will be in ever increasing numbers amongst us, and that it is only going to be a comparatively short time when we will have a number of trusts formed in connection with practically all the staples in daily use.

That being the case it becomes a matter of importance for us to deal with measures such as that submitted by the Minister of Labour. I wish in the first place to speak for a moment, because it has a bearing on the rest of my argument, in regard to what I might call the assembling of trusts. We have first the promoter, who has perhaps the most important place in connection with trust finance. The promoter must send his experts to the different concerns that are intended to be taken into the trust; he must examine their finances, find out what their earning power is, estimate exactly what can be secured by an amalgamation of such interests. He must then present his case to the second factor who is what you might call the syndicate manager. It is from him that he must secure the necessary funds to get an option on the different properties. Consequently, we have here two factors, the syndicate managers and the promoters, who must be paid in the process of the trust formation. Now, the promoter having gone carefully over his ground and having secured his option, comes face to face with the question of capitalization, and I want to refer to that for a moment because it is of interest in connection with some of the more recent trusts that have been formed in Canada. The general procedure in the case of the trusts formed in the United States was this: The earning power of the independent concerns going into the trust was taken as a basis. This was capitalized and in most cases the capitalization of the actual earning power of the independent concerns was taken as the preferred stock of the trust. This was increased to a certain extent to allow for profits to the promoters and to the syndicate managers and underwriters. In the next place the assemblage of the independent concern was considered from this standpoint; that of the possibility of its earning power as a combine. All the factors of the elimination of competition and savings in other directions were taken into consideration, and these were capitalized. Usually it represented the common stock which in most instances was, roughly, equal to the preferred stock. In the case of a great many of the United States concerns the capitalization in the shape of preferred and common stock, was roughly perhaps a little more than double the value of the independent concerns on the basis of their replacement value. Now, that perhaps looks conservative, but the course of subsequent events showed in almost every case that the trusts of the United States were overcapitalized. But, while that was the case in the United States, I want to say that in Canada the formation of the trusts we have had recently has shown something in the shape of over capitalization very very much in excess of this. I will not venture to name all the combines, but some information has come into my hands in the last few months in regard to the capitalization represented by some of the Canadian trusts. There was one case of which I had some knowledge in which the whole concern could probably be replaced at a cost of $75,000. When this went into the trust the return was $200,000 in actual cash, and $250,000 in preferred and common stock. In another instance the replacement value of the concern entering the trust would probably be about $30,000. In that case the owner of that manufacturing concern received in cash $75,000, in common stock $65,000 and in preferred stock $150,000. One other instance I will mention, and this is in a different trust from the last I referred to, and it is this: The replacement value would perhaps be $750,000 and part of that was represented by a plant which was out of date and useless. However, the owners in that case received $598,000 in cash, $598,000 in bonds, $370,000 in preferred stock and $190,000 in common stock. I am just giving these illustrations to show that in the trust formation going on in Canada at present there is an immense overcapitalization. Perhaps some one will say: That is of no interest to this House; if people wish to overcapitalize their businesses they simply are not going to pay such large dividends. But I want to point out that there are some evils arising from this matter of overcapitalization. In the first place the overcapitalization of these stocks removes them from the realm of investment securities. Even in the more conservative capitalization of the United States trusts the preferred and common stock were never represented as investment securities; they were the speculative stocks, and this overcapitalization here as in the United States would throw upon the market a vast mass of speculative stock as distinguished from investment securities. This system had the element of danger that it floods the market with speculative stock of the industrials as they are called, and it has given rise to nine-tenths of the stock speculation. I venture to say that there is more gambling in this form of stocks in one day on the stock exchanges than there is on all the race courses of Canada and the United States for a whole year. For that reason I say that this overcapitalization, simply from the fact that it gives birth to these

speculative stocks, is a matter of importance to us. In the next place the overcapitalizations is the means by which the savings of the man of small wealth are amalgamated into the pool of the trust. I took twenty-one of the representative trusts formed in the United States between 1898 and 1899, and I found that the prices at which these stocks were first sold upon the market and the prices in 1903—and here I might draw to your attention that the years from 1898 to 1903 were years of increasing prosperity—I found that the difference in the prices of these stocks between 1898 and 1903 represented a shrinkage of $400,000,000 in the case of the twenty-one trusts to which I refer. That simply meant one of the factors, and an important factor, by which 98 per cent of the wealth of the United States has filtered into the pockets of 55 per cent of the population. And I say, Sir, that for that reason overcapitalization in any of the corporations thus formed is an evil. In the next place, these companies attempt not to go back upon the glowing prospectuses which they issued to the public; they try to pay dividends upon their preferred and common stock where possible, and the result is that the money going to their reserve fund and their renewal fund kept on diminishing so that their overcapitalization really reacted upon the trusts with serious results. In the next place, the presence of this water in the stock blinds the public to the actual profits made by these corporations. If the people see that only 7 per cent is paid upon the stocks, they look upon it as a legitimate business operation, regardless of the fact that three-quarters of the entire stock probably represents water. For that reason, as soon as the trust finds that it is paying large dividends they cut a melon or in other words distribute among themselves a new issue of stock, and the public will continue to see only seven or eight per cent paid and are blinded to the actual condition of affairs. Another thing is that if these trusts and other companies were capitalized upon a more conservative basis, we would have a still greater increase in investment securities instead of the flooding of the market with speculative securities. There is one more lesson that was learned by this overcapitalization and it was this: That many of the panics and crises that have occurred in finance in the last few years have simply resulted from collapses of some of these speculative stocks due to overcapitalization. There is one other thing that is more important than any thing else in connection with the formation of trusts, and that is that the stocks get into the hands of the public with the result that many men who would perhaps give their support to legislation opposed to the trusts, simply because they have this stock which they are afraid may drop in value, are converted into adherents of the trusts, Professor Mead, of the University of Pennsylvania, whose work on trusts and finance is perhaps better known than any other, and who cannot be said to be an opponent of trusts, uses these words:

> Legislation or competition is always threatening the profits of the trusts. By enlisting a large number of investors in its support, the directors of the company may make valuable friends of the mammon of unrighteousness, who, when it fails, may fight manfully in its defence.

I merely mention the matter of capitalization because I feel that we should deal with that when we are dealing with the trust problem in a general way.

We have then the evils of the trust which we should consider most prominently. First, there is the control of labour, in regard to which the Lemieux Act is as useful as anything could be. In the next place, in regard to the control of middlemen and wholesalers, so far as it may injure independent men, I believe the present Bill of the Minister of Labour will be useful. We have, however, left, in a way that I do not think this Bill sufficiently meets, the question of over capitalization and the question of the enhancing of prices through the elimination of competition. I do not know that I should use the term enhancing prices, because I will admit that prices are not always increased by the combine. However, there is an enhancing of the margin between the cost of production and the selling price to the consumer, which amounts to the same thing. In regard to overcapitalization, I think we should have a provision in our law limiting the capitalization to the actual investment or to replacement values, plus, in the case of trusts, say 10 per cent for the services of the promotors underwriter syndicate manager.

Mr. BRISTOL. May I ask the hon. gentleman how he would deal with the good-will of a business?

Mr. M. CURRIE. The hon. member is a lawyer and is well versed in trust finance. He is probably well aware that that question of good-will has often been raised before. It was raised in Germany several years ago.

Mr. BRISTOL. It is not a question of my raising. You speak of a replacement value, and I merely ask if you consider a good-will an asset. You apparently say you do not.

Mr. M. CURRIE. I am trying to answer the hon. gentleman. The German government limited the capital to the actual investment or the replacement value, disregarding the good-will, and found that law to operate successfully and well. They

went further and refused to allow industrial stocks to be placed on the market until one year after the industry was in actual operation. I have not looked into that question perhaps as carefully as some lawyers in the House have.

Mr. BRISTOL. I should think business men would look into the question of good-will, seeing that thousands and hundreds of thousands of dollars have sometimes been spent in creating the good-will of a business.

Mr. M. CURRIE. That becomes a question of the assets of the trust when it is formed.

Mr. BRISTOL. It is not a question of replacement, though.

Mr. M. CURRIE. As I was saying, not only has that operated successfully in Germany, but some trusts in the United States have been floated on that basis; and while some hon. gentlemen may think that is not a good basis, I may say that the Union Steel Company, the Cramp Shipbuilding Company, and the International Harvester Company were floated on that basis, and floated most successfully. With regard to enhancing the margin between the cost of production and the selling price, there is a decision of the Supreme Court of the United States to the effect that while the interest of the investing public should be considered, the interest of the public is of permanent importance. It has been suggested that we should have a commission similar to the Railway Commission. I think myself that something of that kind would be the most successful method of controlling this matter. I believe that everything in the nature of a pool or combine or trust should be compelled to secure incorporation so that it would come under the jurisdiction of such a commission. The next proposal I would make is this, that this commission should have power to limit the dividend upon stock of the company, fixed as I have previously indicated. They should have power to limit that dividend to a certain amount, and to allow a further amount for the surplus fund and the renewal fund, and profits in excess of that should be used for increased payment of wages and in reducing the price to the consumer. Some one will say that is a most radical proposal; but we have at the present time such a law in actual operation in this country, that is, in the city of Toronto. We have there a monopoly, just as one of these trusts is a monopoly, in the shape of the Consumers' Gas Company. That, I think, is on all-fours with the matter we have under discussion to-night. The dividends of the Consumers' Gas Company are limited to 10 per cent upon the capital; the amount to be placed in the reserve fund is fixed; in addition, there is 5 per cent allowed for renewals. When the reserve fund reaches 50 per cent of the capitalization, all further profits are employed in reducing the price of gas to the consumers in Toronto. That has worked effectively in the city of Toronto, and while it may be a radical proposal, I feel like saying that what we need is a consumers' gas law enlarged and made applicable to the trusts in the Dominion of Canada.

Motion agreed to, and House went into Committee on the resolution.

Mr. J. A. CURRIE. Was there not a mention of this Bill in the speech from the Throne.

Mr. KING. Yes.

Mr. J. A. CURRIE. When a measure is mentioned in the speech from the Throne, a resolution of this kind is not necessary if there is a fixed charge on the revenue.

Mr. KING. This Bill deals with money matters and this resolution is necessary.

Mr. SPROULE. It is making a charge on the revenue, and such a Bill can only be introduced by resolution.

Resolutions reported, read the second time, and agreed to.

Mr. SPEAKER. We had better refer these resolutions to the committee on the Bill.

Mr. FIELDING moved that the said resolution be now referred to the Committee of the Whole House on Bill (No. 101).

Motion agreed to.

Mr. KING moved second 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.

Motion agreed to, Bill read the second time, and House went into committee thereon.

Mr. GEO. TAYLOR. I am in receipt of many letters from parties who say that before this Bill is passed they ought to be given an opportunity to be heard, and I think that the best course would be to have it referred to a special committee which will hear the parties interested. Many of my correspondents complain that, under this Bill, any six persons, who may say that they are of opinion that a combine exists, may, because they have had a dispute with some firm, compel that firm to subject its business to an investigation. For instance a jobber may get five of his clerks with himself to make a complaint, and put a merchant, against whom the jobber has a grudge, to a lot of expense, and compel him to make public to the committee all the details of his

business. If this Bill be proceeded with, such a contingency ought to be avoided by providing that the complaint should come from six different houses in the same line of business. That is one of the complaints against this measure. These parties say that if it be referred to a committee they would gladly come before it and make such recommendations as they may deem necessary in order that we may have a perfect measure on our statutes.

Mr. SPROULE. That would shut out the right of consumers to make complaint.

Mr. G. TAYLOR. They would have the right to come before the committee and give evidence.

Mr. BRISTOL. We have a Bill for the prevention of combines and suppression of combines formed in restraint of trade, which has been in force for some fourteen years, and under which the rights of the people have been reasonably protected. No complaint has come from the public so far as I can learn, but from some of the combines which consider they have been unjustly prosecuted. That law stands to-day, and under it any man who feels he is aggrieved, and believes there is a combine in restraint of trade, can swear out information before a magistrate; and if a prima facie case be made out, it will go before a judge and jury in the ordinary course. This Bill is a very important measure. No doubt the public are entitled to be protected against monopolies and combines which are in restraint of trade and unduly enhance prices, but there are to-day very important considerations in this connection which we must not lose sight of. We in Canada are endeavouring to build up our trade in the best possible fashion, and our neighbours to the south are endeavouring to get control as much as possible of the markets of this country. Combines of necessity must arise in this country, but not necessarily combines in restraint of trade, or in any way detrimental to consumers. It has been pointed out to-day that, in a majority of instances, the united capital and ability of combined companies are such that these combines can usually manufacture cheaper than could the isolated factories previously. I suppose there is no one in this country who would have any objection to a combine which reduced prices, or did not unduly enhance them. This Bill starts out by declaring that it is an Act to provide for an investigation of combines, monopolies, trusts and mergers, not which do enhance, but which may enhance prices, or may restrict competition to the detriment of the consumers. I do not think there is an hon. gentleman in this House who has any desire to prevent any business men of Canada combining in any lawful fashion for the purpose of putting large masses of capital and skilled labour in the way of getting the very best results, provided the public are fairly treated. Yet this Bill starts out with the declaration that a combine of any kind, the result of which may be, if it choses to act unlawfully, to enhance prices, may be brought under its operation. I do not think that the hon. minister has any such intention. I think the Act should provide that only such combines as do enhance prices and restrict competition should be dealt with.

Mr. KING. How does my hon. friend purpose to discover a combination of that kind until there has been some investigation, how will he be able to show that the combination comes under the class he is speaking of?

Mr. BRISTOL. As I understand, six persons have to come forward to make a charge of that kind, because section 5 says: Where six or more persons are of opinion that a combine exists, and that prices have been enhanced. That is why I thought the body of the Act implied what I am arguing for, that you might have a perfectly fair, and reasonable combination that might reduce prices, and I did not think the minister had any objection to that. Section 5 indicates that that is the intention, but the minister starts with a heading which I do not think is justified. I merely raise the matter for consideration at this stage, because I feel that we have to give Canadian manufacturers as well as Canadian workingmen every reasonable chance for competition on fair grounds. We have a right to protect the public, and those engaged in manufacturing, and the idea is to put down monopolies that increase prices or unduly restrict competition.

Mr. BARKER. In the province of Ontario there have been rather extreme cases of wrong and injustice, arising out of an attempt to prosecute men under the Combines Act; and as those men have been exposed to cost, and serious interference with their business, I think the House ought to be very careful before they go any further in this direction, without taking the utmost care not to repeat the absurdity that now exists. The whole question turns upon the one word 'unduly.' The hon. gentleman has dwelt at length on that. There is no wrong in people combining to restrict production or to enhance prices, the hon. gentleman admits that, but it is wrong to unduly restrict or unduly enhance. No merchant knows, no manufacturer knows, as a fact, whether what he is doing is undue or not. One man may be of opinion that he is acting unduly, another man will say the very opposite, and the law now requires a manufacturer or a merchant to take his risk of being a crim-

inal. That is the position, that has been the position, and what the merchants, and others complain of is that if they come here to the Department of Trade and Commerce to ascertain whether what they propose to do is legal they cannot obtain any information. They may say that they find it absolutelv essential in the interest of trade to restrice productiou beyond a certain amount because if they flood the markets with ready-made clothing, for instance, they will cause injury to business and injury to the public interest. Perhaps half a dozen manufacturers of ready-made clothing meet, and come to the honest conclusion that there is danger of an excess of production in that line, doing no good to anybody, and that the output should be restricted to a certain amount. These gentlemen are confronted by this statute, and somebody says that they must not do that unduly. I know that people in that position have come to Ottawa, and have naturally gone to the Department of Trade and Commerce to get some hint or indication of how far they might go, what would be considered reasonable, or when their conduct would be an undue restriction of trade or an undue enhancement of price. The Department of Trade and Commerce say that they cannot advise them, that they must take thee risk of doing this thing unduly or that they should go to the Minister of Justice. The Minister of Justice says that it is a question of fact, and they must go to a jury to have a decision whether their action is reasonable or otherwise. Then these people, as respectable as any in the Dominion, wishing to keep within the law, knowing from their business knowledge and believing that what they do is right, and reasonable, proceed with what they have proposed. What is the result? Somebody takes it into his head that he can worry these men and knowing that it will not cost him one cent, that if he lays an information the government will have to bear the expense, and will conduct the prosecution in the name of the Crown, a prosecution is begun.

Mr. KING. Is the hon. gentleman speaking of this measure or of the law as it stands?

Mr. BARKER. The law as it stands.

Mr. KING. The legislation enacted in 1899.

Mr BARKER. I do not want to have the minister perpetuate that injustice. A notorious case has occurred, the prosecution of the Grocers' Guild. These people were charged with being a combine, and for three or four years they were held up to the people of this country as criminals. The outcome of that three years' prosecution was that the Chief Justice of Ontario held that they were within the law, that they had never exceeded the law in any sense, that their action did not come within the meaning of the word 'undue'; but these gentlemen only found that out after three or four years' litigation, costing them in round figures $12,000. The people who were prosecuting them were safe, the whole thing was done in the name of the King, and those who caused all that expense, trouble, annoyance and injury to the men concerned, got off scot free. The minister, before proceeding any further in experiments on this law, should take the utmost care that he is right. I do not think the members of this House are the best people to judge exactly what the change should be. The minister may have considered it with great care, I presume he has, but I do not think that even the minister has the knowledge or the experience to judge how far he should go or how far this House should go in altering this law. I have no doubt that some years ago when the House put in the word 'unduly' they thought they were settling the whole thing. I hope we are not going to do any more blundering of that kind. I think that the proper course for the minister would be to refer this Bill to a special committee, who will give to all concerned an opportunity of coming before them and discussing these matters. We may then learn from experienced men who know all the difficulties and who can speak with knowledge. We should not make another blundering attempt to deal with a subject of the utmost difficulty. We are now going to submit to arbitration the very question that, in the past, has been found so difficult to deal with under the present law. Some gentlemen who have considered the matter with a great deal of care, think there ought to be an opportunity given to them, through some department of the government, to know in advance whether what they are proposing to do is likely to make criminals of them or not. We have a Department of Trade and Commerce here, I do not know exactly how broad the functions of that department may be, but surely that department and not the Deparment of Labour should be the forum where questions relating to trade and commerce may be discussed. Now if we are going to spend large sums of money in this sort of arbitration—and as I understand the minister, the country is going to stand the shot on both sides, as a rule—we might better spend that money in enlarging, if need be, the scope of the Trade and Commerce Department, and keep these people out of crime rather than letting them into it, and then punishing them for it.

Mr. BRISTOL. I want to add that in addition to the state of affairs which the

hon. member for Hamilton (Mr. Barker) pointed out continuing to exist, as it will, whether this law is passed or not, and, therefore, people will still be subject to prosecution as they have been in the last fourteen years, I want to point out that this Act goes beyond the criminal law in one most material respect. The criminal law under which prosecutions have heretofore been conducted, subclause (c), reads as follows:

Every person who conspires, combines, agrees or arranges with any other person, or with any railway, steamship, steamboat or transportation company . . . to unduly prevent, limit or lessen the manufacture or production of any such article or commodity, or to unreasonably enhance the price thereof.

Is guilty of a misdemeanour. Now, the Minister of Labour leaves out the word 'unreasonably' before the word 'enhance,' and that makes this new Act go beyond the criminal law, which has already given the business men of Canada enormous difficulty, and put them to enormous expense, men who are honestly desiring to live within the law. I know that business men have come to consult me, asking an explanation of the words 'unduly' and 'unreasonably', and I have told them that they would have to go before a judge and a jury to get an explanation. The law as it is now suggested reads: 'An Act to provide for the investigation of combines, monopolies, trusts and mergers which may enhance prices, not which unreasonably does enhance prices,' which would be in accord with the criminal law to-day. There is not a business man in this country who does not know that there may be a dozen causes which make it perfectly proper for prices to advance in the future as there may be a dozen causes which may make it proper for prices to be reduced. But there was under the present Act the possibility that prices might be enhanced reasonably and yet that would be an offence. This Bill says that when six men are of opinion that something of this kind is occurring, they may actually put the business men of the country to the expense of having this investigation. But that it is not the worst part of it. Anybody who has had anything to do with these prosecutions knows that everybody attacked has got to produce all his books, ledgers, letter books, invoices and other documents by the hundreds or thousands, that the whole of his business is turned upside down, that the books wanted in daily use are one time in the court and at another time somewhere else, instead of being in his office. He is put to all kinds of inconvenience and expense other than mere legal expense, when he is trying to act in good faith, and this Bill actually goes beyond even the criminal law of to-day and makes it worse for the business men of Canada than it was before.

Mr. GERMAN. It appears to me the hon. gentleman who has just taken his seat (Mr. Bristol) somewhat misconstrues the true meaning of this Act. As I understand it, the Act substitutes a board of arbitration for criminal proceedings before a judge and jury.

Mr. BRISTOL. It does not do it, for obvious reasons. First of all, the criminal law is not repealed, it is simply enforced, and anybody can start a prosecution. Secondly, I quoted the criminal law, and I have shown that the word 'unreasonably' is left out before the word 'enhanced' in the new Bill.

Mr. GERMAN. I agree that that portion of the Criminal Code is not repealed, but instead of substituting I might say it amplifies the proceedings under the Criminal Code by giving the right of arbitration, which seems to me a milder procedure than taking proceedings under the Criminal Code.

Mr. BRISTOL. Anybody can still lay an information.

Mr. GERMAN. They can if they choose. But to take proceedings under the Criminal Code you are immediately up against all the legal technicalities that can be raised; whereas a board of arbitrators is more inquisitorial than judicial. The board of arbitrators can go into the matter on equitable grounds, they can make a broader inquiry than could be done in proceedings under the Criminal Code. Any six men can lay information and make a complaint, then the arbitrators are chosen, one for each side, and a third is selected by the two. The men complained against are not supposed to be criminal. Then if the board of arbitrators find that they are unduly and improperly, by their combination, enhancing prices or restricting trade to the detriment of the public, they then make their report. If, after the report is published in the 'Canada Gazette', these people continue to violate the spirit of the law, then they are subject to a penalty of $1,000. It seems to me this Act is quite an improvement on the Criminal Code. The Criminal Code will not be invoked if this Act comes into force, and you will have more ample justice done in all such cases than you will have under proceedings under the Criminal Code, which are expensive and liable to all sorts of legal technicalities. These proceedings will be inexpensive, they will reach the end of justice more speedily and more equitably than any law at present on the statute-book.

Mr. J. A. CURRIE. Evidently the House is of opinion that this Bill removes those clauses which provide for prosecution under the Criminal Code.

Some hon. MEMBERS. No.

Mr. J. A. CURRIE. Then, we will assume the position to be as it actually is. This law provides a convenient form of investigation into the affairs of a business concern, in other words, it is an inquest. It is suspected that there may be a combination, not that there is a combination, but that there may be. Immediately an investigation is set on foot, and provision is made under this Act whereby there are arbitrators appointed, who are to hear all this evidence without being under the rules of evidence, they are not governed by the rules of evidence.

Mr. GERMAN. Certainly they are governed by the rules of evidence.

Mr. J. A. CURRIE. You will find they are not. They are in a similar position to the Railway Commission, and they will not be governed by the rules of evidence. They will conduct their investigation in their own way, and they will have the power to go into the business of everybody and into everybody's books. When their finding is published in the 'Canada Gazette' anybody can carry on a criminal prosecution, and he will have all the evidence that has been taken by this investigating committee—this detective committee—to make a criminal out of the man who has been investigated. I think in justice to the business interests of the country, the minister should send this Bill to a committee, and those people who are crying out so loudly and writing those articles in the paper should be asked to come and substantiate their charges. I do not think there are very many combines in this country. There is every reason why we should not go beyond the straight, fair way of dealing as between man and man and as between man and the law. A man should not be found guilty before he is tried. In an ordinary criminal case, if a detective acts in this manner and gives a man, charged with a criminal offence, what is known as the third degree, the jury dismisses the case and there is a mistrial. I do not think the minister realizes how far reaching this Bill is, and I think that in justice to the business interests and to all interests involved, it should be referred to a committee so that we might have an opportunity of hearing about these combines. There is no evidence of a satisfactory character to show that there are any combines or that combines are unduly enhancing prices. I understood that an arrangement had been made between the whips whereby this Bill should be referred to a special committee.

Mr. KING. There was no such arrangement made.

Mr. J. A. CURRIE. The chief whip told me there was such an arrangement.

Mr. KING. There was not.

Mr. PARDEE. There never was such an arrangement made.

Mr. KING. The hon. gentleman might possibly have misunderstood.

Mr. J. A. CURRIE. The minister is putting himself up as the chief trust buster of this country. They have had trust busters in the United States, but men who go about trust busting do not happen to travel very long in public life. I think that in justice to both sides concerned, the consumers who are ground down, according to their lights, and also the manufacturers and business interests, which are liable to be prosecuted under this Bill, should be heard before any action is taken. I think we may be able then to get a Bill that will reach this difficulty. Supposing that this Bill gives the right, which has not been given in any British country, to lay a charge and investigate any man's business, persons may take advantage of it for political or religious reasons, or they may do it out of mere spite, because there are men who are so mean that they do not wish to see their fellow men succeed in making a little money. They may do a man an enormous amount of injury, they may ruin him, because if they start an investigation the banks will refuse him credit. There are legal gentlemen on the other side of the House who will appreciate the situation. Is a man going to be considered a criminal, is he going to be investigated in reference to his conduct, character and business relations under this Bill? This commission may free him but that does not mean that some enemy of his cannot level a prosecution against him under the Criminal Code. You must amend the Code if you are going to put this Bill into force. Two clubs are two too many. For that reason I make the suggestion that all parties be heard before a commitee of the House.

Mr. CONMEE. I do not think the Bill will have the effect that the hon. gentleman has stated. It seems to be a more moderate means of investigating such questions.

Mr. J. A. CURRIE. But there is the Criminal Code, and it does not take the place at all of the previous Act.

Mr. CONMEE. Admitting that criminal proceedings may still be taken, it is not reasonable to assume that both lines of action would be taken. A person would be far more likely to take action under this Bill, because he would not be required to

accuse the other party of any criminal conduct. It is a mere investigation, and there is the safeguard. It takes six persons to secure this investigation. One may make a complaint under the Criminal Code. Then, there is the further safeguard that a complaint is made to a judge of the High Court and he may refuse the investigation. He may not find sufficient grounds. That means that a man's business is not wantonly dragged into the daylight. But, if he does find sufficient ground the investigation has to go on, then who is appointed to hold the investigation. One is appointed as the representative of the parties making the complaint and the other is nominated by the party accused. If they cannot agree, a third is appointed by the minister. What happens if there is an investigation? As far as I have gone into the Bill, I must say that I approve of it. I think it is a timely measure, and I am not going to worry myself very much as to whether they have such a measure somewhere else or not. It looks to me to be a good measure for Canada, and if so, it is sufficient for my purpose. Subsection 2 of section 18 reads as follows:

> In deciding any question that may affect the scope or extent of the investigation, the board shall consider what is required to make the investigation as thorough and complete as the public interest demands.

I submit that is one great step in advance. Then, the following section provides for publicity and if there is anything that will tend to give the consumers fair play it is the fact that the light of day may be let in on the whole transaction by a board whose only object is to see justice done in the public interest. It is generally assumed and I believe it to be true that there are in existence combines which injuriously affect the public, and enhance the price of commodities that are used generally by the people.

Mr. J. A. CURRIE. What about dredging?

Mr. CONMEE. My honoured friend has something on his brain, and he very often tries to enlighten the House, but he seems to have so much mud about it that no one understands it except himself. I am not discussing this frivolously. So far as I have looked into the Bill it contains a great deal of good, and I would judge that my hon. friend the hon. member for Toronto (Mr. Bristol) does not understand the Bill as I understand it. It seems to me that having regard to the legal capabilities of the hon. member for Toronto (Mr. Bristol) he ought to be able to see good and not evil in this Bill. I confess that before I read the Bill, taking only the comments in the press, I had not a very high opinion of it, but since I have gone over its provisions, I am quite in sympathy with it, and for my part I should like to see it become law.

Mr. GLEN CAMPBELL. I have studied the Bill, and I have listened carefully to the lengthy speech of the junior minister. His verbosity was such that I really could not understand what he meant, and I doubt very much if he understood himself. He referred to the fact that the father of my seat mate had gone into the matter so thoroughly in 1888 that this Minister of Labour thinks to-day that the evidence then collated was sufficient to induce any government to take steps to protect the public. The minister used that as an argument against the Conservative administration, but I would point out that for the fourteen years this government has been in power, day after day, and month after month, and year after year they saw that combines were being formed against the public interest: lumber combines, cement combines, machinery combines, meat combines, all calculated to plunder the public, and the government during these long years never raised a hand to protect the people. Well, the only excuse for the minister's argument is his youth. During fourteen years this government has never done a single act to protect the farmers of the west from being eaten up body and soul by these combines, their farms mortgaged, their children half naked in some instances. At last, this gracious government, and its Minister of Labour has awakened from their Rip Van Winkle sleep, and so they now propose to do something. In 1888, Mr. Clarke Wallace brought out the fact that there were thirteen combines in Canada that needed to be combatted, but the Minister of Labour is a member of a government that has created a fish combine, one of the worst combines that has cursed the west. It was his government that gave the people up in the northwestern part of my riding, a monopoly of the fisheries for a mere trifle, and which for a mere song, threw away to a few grafters and party heelers the heritage of the people of that western country. I say grafters, and I mean every word of it. Suppose the Minister of Labour does not know about that just as he knows very little about any subject that I have heard him discuss in this House. This government, of which he is a member, gave to Coffey and Merritt, the fishing in Cedar lake, 285 square miles of the finest fisheries in the west; they gave away in Moose lake 522 square miles of sturgeon fishing; in Cormorant lake 140 square miles; in Cumberland lake 166 square miles, in Amiak lake 90 square miles, in Namea lake 66 square miles, a total of 1,300 square miles for the paltry sum of $300 per annum. To these people this

government gave a fishing monopoly, which is absolutely another word for a combine. And the result is that the gentlemen who got that monopoly from this government sold that monopoly to an American fish firm. The winter season is the only season of the year that fishermen have a chance to be independent, and to sell their product in the highest market, but these poor fishermen, under an agreement made with this government, were compelled to sell their products to this Northwest Fish Company of Americans for from one cent to one-and-three-quarter cents per pound less than they could get in the open market. It was the officials of this government who compelled the poor fishermen to do that. In the winter of 1907-8, the fishermen were compelled to sell their product at less than market prices all through the winter, and in the spring of 1908 the company went into liquidation and became bankrupt. I read affidavits last year, and I am going to read them now, from men who produced the fish sold to the company, compelled to be sold to this American company by the officials of this government, who have awakened to the fact that they had to protect the people at this late day. These fishermen had to sell at less than market prices, and when this American company went into liquidation, they could not get even the poor recompense that they were compelled to accept for their output. I will now quote an affidavit which I read last year:

This is to certify that I, Isaac Bradbury, fished during the winter of 1907-08 in the waters covered by Capt. E. D. Coffey and F. L. Merritt's leases in the Northwest Territories, and was forced to sell my catch by the government officials to the Northwest Fish Company, which is represented by Capt. E. D. Coffey and F. L. Merritt, and that the Northwest Fish Company went into bankruptcy and owe me $810 for my winter's labour.

This affidavit is declared before George O. Bellamy, and is signed by Isaac Bradbury, fisherman. I brought this matter up last year before the Minister of Fisheries, who promised me explicitly in this House that he would have his commissioners inquire into this matter and protect the producers; but no effort has been made to protect my friend Mr. Bradbury, and other men who are in the same position. I had another letter from Mr. Bradbury the other day. He states that he had a letter from me saying that the Minister of Marine and Fisheries was going to investigate the matter, and he goes on to say:

I think he should, for the government gave that Northwest Fish Company the privilege of getting the fish out of those lakes for practically nothing, and now the property that we, the creditors, have to fall back upon to get paid for our fish is worth nothing, for the lakes are pretty nearly cleaned out, and it is no good for any company to buy. I think the government should consider me and the other creditors the way that we have been used. It would have been bad enough if the Northwest Fish Company had paid the $80 per ton. That was the price they were to pay, but at the same time the Armstrong Fish Company were prepared to pay $110 per ton for the same fish, but we could not sell to them, for the government officials would not allow us. We were forced to give them to the Northwest Fish Company, which was pretty hard on me, for I had to hire my men, and what little money I did not earn I had to pay out. The hardship of fishing is very great, and I think this is a case where the government has a right to protect the poor producers as against the company that holds the fishing under a special license.

I am quoting that for the reason that this was a monopoly created by this government for the benefit of an American organization as against Canadians, and through it the resources of Canada were dissipated in a wrongful manner. It seems to me absolutely hypocritical for any member of a government to get up and make a speech such as was made here to-day by the Minister of Labour. The government cry anti-monopoly while they grant such monopolies as this. I was very much pleased to hear my hon. friend from Thunder Bay and Rainy River (Mr. Conmee) tell the House, and I am sure the House appreciated his remarks at their full value, that since he had been in public life he had been out for fair play to the public. I have put a very different interpretation upon his actions since I have known him. I may be wrong in some cases, but in this case I think I am not wrong in my interpretation, but he is wrong in his. That is all I want to say at present except that I agree with the proposition of my hon. friend from Simcoe that this matter ought to be put into the hands of a committee to investigate it most thoroughly. We know all the facts. All we want is the evidence, and when we get that, we want to send the perpetrators of harm to the place where they belong, and that is the penitentiary.

Mr. NESBITT. I have learned within the last few minutes that it is wrong to be young. I think the hon. minister's most bitter enemy must acknowledge that he has introduced and placed before the House this measure in a most capable manner. We are now, I understand, considering clause 1, and I think we should consider the various clauses of the Bill as we come to them. There are some amendments which I would like to see made to the Bill as proposed. I agree with the principle of the Bill, and I would like to see it advanced by considering the different clauses, and amending them if necessary as we come to them. I am quite sure that the hon. min-

ister wants only what is right, and is perfectly willing to insert in the Bill any amendment which will make a better Bill. I quite agree with my hon. friend from Toronto that the word may in the preamble is too wide, but I do not think we are now considering the preamble. If we are considering the preamble, this is the proper time to consider its wording, but if we are considering clause 1, I do not see any reason why we should not go on with its consideration, and not with that of the preamble.

Mr. DEPUTY SPEAKER. Clause 1 is the clause before the committee.

Mr. MACDONALD. Any one who looks at this Bill closely from a legal standpoint and endeavours to ascertain the ultimate effect it is likely to have, can imagine many difficulties which should demand from this committee the closest deliberation. There is a popular idea that anything devised under the name of a combine should be condemned and blotted out of existence by legislation. I was unable to have the opportunity of hearing all the discussion, and, therefore, speak with the disadvantage which always comes from that circumstance; but on examining this Bill with some little care, I realize that, so far as the definition of a combine contained in it is concerned, a combine in an illegal sense—because that I assume is what is intended by the definition—would, under its wording, cover every kind of organization, whether legal or illegal, in the sense in which we understood a combine in the past as a matter of law. The common law of England always applied only to such combines the effect of which would be the unreasonable enhancing of prices and bringing about a condition which ought not to exist.

Mr. BRISTOL. Does my hon. friend observe also that, in considering clause (c), what I was pointing out is true, namely, that clause (c) gives an interpretation to a combine beyond what the criminal law does, and I do not suppose the hon. minister wants to go beyond the present law.

Mr. MACDONALD. I was endeavouring to point out that a combine, as defined in this Bill, includes not merely those combines which are in the restraint of trade and which, in the past, were regarded by statute as well as by common law as illegal, but also those which in the past were always regarded as proper.

Mr. BRISTOL. Quite so.

Mr. MACDONALD. In that sense the definition is a very wide one, and I apprehend that the difficulties which may arise from the passage of this Bill may be very great indeed, and ought to demand the closest deliberation and care from both sides of the House, irrespective of party. In order to show that we ought not to legislate so as to declare that understandings or associations of business men, which may be called combines, are necessarily of such a character that they should come under the ban of the law or legislation regarding combines, I would draw the attention of the committee to the condition of affairs which exists in England with regard to the various trade associations there, and which have existed right along. Some hon. gentlemen say that these combines only arise in countries where you have a protective tariff, but that these combines are to be found in England and are recognized and approved there is evidence that they are not exclusively due to that cause. Thus in March, 1908, no less a number than sixteen firms of spinners and fifteen firms of doublers in the spinning trade of Lancashire combined together. Their avowed object was not to create a monopoly, but by the centralization of office work and buying, selling and distributing arrangements, to lead to considerable economy. In addition to this, important benefits were expected to arise from an organization which would gradually provide that each mill should spin and double only those numbers and qualities to which its machinery is best adapted. Another advantage was expected to accrue from the application to each individual concern of the combined practical experience of the whole of the board of directors, exclusively composed of experts in that branch of business.

It is stated in this book from which I quote, which is entitled 'Trusts and the State,' and which is one of the Fabian essays, considered authorities upon this subject, that these arrangements of trade are considered eminently proper. Some of the advantages are set forth in this work which flow from the association in business of people who are experts in the various branches. Take another industry, one which exists in a large degree in my own province. I refer to the coal mining industry. This book says:

> The great foundational industry of coal mining might be expected to offer special facilities for combination of interests, as it is strictly limited in extent.

It refers to the combine arranged by Sir Geo. Elliot, a leading spirit in coal mining in England, and proceeds to say:

> After setting forth the disadvantages under which individual lessees at present labour—the necessity of leaving boundary walls of coal unworked, the unnecessary increase in the expense of pumping, ventilation, and underground haulage, which have to be treated, not in the most convenient manner, but according to the arbitrary divisions of

ownership—Sir Geo. Elliot said: 'Briefly, the effect of amalgamation, it is contended, would be to remove all the artificial factors which now stand for so much in the sum of the coal mining industry and to leave science and nature face to face. The different coal districts would then be treated each as a whole, according to its geographical peculiarities. Under a more fully organized method of working, the whole of the coal, good and bad, could be systematically extracted, instead of being as now largely wasted for the sake of bringing up only those kinds which produce the highest market prices.

I could read various other extracts which go to show that these arrangements have worked beneficially and that the combines were eminently proper and ought not to be condemned by legislation. I have in mind a condition which exists in my own county, where we have two coal mines in the one community working side by side. One of them works actually under such conditions that it is impossible for it to exploit a large quantity of its area. The adjoining company, which is separated from the first one by a barrier which has to be left, under the laws of the province, could advantageously work out this coal which is lost to the first. Would it be said that it would be improper for those two companies to combine and mine that large quantity of coal which, on account of the division of ownership, it is impossible for either to obtain.

When we are approaching the question as to what should be done regarding combines recognized as improper we should not throw into the pot these organizations which are proper and put them to the peril and risk of an extensive investigation that may be imposed on them under this Bill, or any peril to which only improper combines should be subjected. The effects of this Bill would be, to my mind, to create conditions under which a proper combine would be attacked just the same as the others. My hon. friend from Toronto (Mr. Bristol) has pointed out that the effect of legislation in the past has been to make a combine a crime where it caused an unreasonable enhancement of prices or an undue limitation of competition. If you look at section 496 of the Criminal Code you will find that a conspiracy in restraint of trade is an agreement between two or more persons to do or procure to be done any unlawful act in restraint of trade.

So far we have only put under the ban those combinations and arrangements where the agreements between the two parties is to do the unlawful act. Then we make unlawful the combination of people whose object it is to unduly or to unreasonably enhance the price of goods. You must have the undue result, the unlawful result, or you must have the unlawful act. That is the position of the law to-day.

Mr. MACDONALD.

That is all right, those are combinations that ought to be attacked and prevented. If you have a combination of men in any business who combine together with the avowed object of increasing the price of any of the articles of necessity in life, that is an agreement against the state and the state should deal with it accordingly; but where, on the other hand, you have combinations such as I have indicated, existing in the various trades in England and in Canada, for their common interests, or for the purpose of saving fixed charges which are always an important consideration in manufacturing, for the purpose of obtaining the advantage of the knowledge and experience of men interested in trade together, there is a very marked line of divergence and that line should be maintained; we should hesitate before combining these two things together and dealing with them on the same basis. Of course one approaches the consideration of a measure prepared with great care by the minister, as I am sure this has been, and sympathetically view it as intended for the purpose of remedying some alleged evils, but when I find the section defining a combine as an agreement which has or is designed to have the effect of increasing or fixing the price—not unduly increasing it but merely fixing the price—I say we are passing from the realm of legislation where we have dealt with this thing in the past or where it has been dealt with under our jurisdiction here and elsewhere, and coming into a new realm. I say it is not, as I have been able to read the cases or study the conditions, an improper thing for men interested in the same business to agree together about increasing prices, if they do not do it unduly. Suppose there are competitive trade conditions in this and several other countries and you have an industry which has been for a long time lagging indifferently as the result of competition with the United States and the price of the commodity goes up all over the world, the labouring men working in that industry have perhaps been struggling along at low wages because they have been unable to get as full return for their work in that industry as their brethren in some industry alongside; do you mean to say it is improper for the people interested in that trade to increase the price because the price of that commodity has gone up all over the world and let the men work in the industry have the result of that increase? I say I do not so regard it. It may be that there are some other sides to this matter, and I am approaching the consideration of it with the greatest care with the desire to arrive at a solution, but it does not seem to me we should create the position of penalizing a condition of that kind. When you call a combine an agreement among business men to fix the

price, when it is not done unduly or unreasonably, you are rendering the problem as to whether you should deal with this matter somewhat more difficult. This section of the Bill speaks of an arrangement for an agreement which is to have the effect of increasing or fixing the price. Within what area in this Dominion are you going to fix the limits within which the understanding between the parties as to price is to be determined? For instance, if certain gentlemen in the province of Ontario engaged in the manufacture of some particular article peculiar to this province, agree to fix the selling price, how are you going to arrive at a decision whether or not that is a price which is improper or which ought to be increased? It may be a price which even at the increased figure is less than that which is sought by some gentlemen engaged in the same business in another province in the Dominion under more advantageous circumstances.

Mr. BARKER. They could not even lower the price.

Mr. MACDONALD. Yes, my hon. friend is right, under this language you could not lower the price.

Mr. GERMAN. Does not the hon. gentleman see that the whole gist of the Act is that this must be to the detriment of the consumers? Clause 5 clearly says it is to the detriment of the public.

Mr. MACDONALD. My hon. friend has read something with which I propose to deal in a moment. I am now pointing out that the definition of the word 'combine' means the legislative ban being put upon certain understandings and arrangements which are included in the definition of that word and I object to that.

Mr. BRISTOL. The words 'to the detriment of the public' are nowhere contained in the definition with which my hon. friend is dealing.

Mr. MACDONALD. I know that. At the conclusion of that section we also find that another legislative ban is being placed on a proposition that in the past has always been regarded as an eminently fair and reasonable one. After dealing with various things, it says that this includes:

> 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.

The result is that if a man has been eminently successful in the prosecution of an industry and he and his business associates have made money, and there is perhaps in the next county or province, another concern engaged in the same trade which is not so prosperous, then under this Bill it is impossible for the prosperous and successful man to obtain any interest in the other business, and there is no opportunity for the successful man to expand. Supposing the other situation affords very great facilities for manufacturing, but that there have been some conditions which always may arise in business, through incompetency or otherwise, which prevent the second man from succeeding, then you do not permit the first successful man to obtain an interest in the other business with a view to resuscitating it, extending it or making it a success. It is true the words are limited by the words 'to the end aforesaid.' But if the result of the combination is that you are going to have joint control, of course there can only be one end of it, and that would be that the price between those two friendly concerns would be fixed. I think this is a proposition that ought to be carefully considered, because unless you do that you will impair the capacity to obtain capital in this country. If we do not preserve the safeguards for proper business arrangements, the opportunity to obtain capital will be impaired and after all, while we have had filtered into Canada, as you have seen it in the United States in the yellow press, a lot of talk about trusts, monopolies, and all that sort of thing, we sometimes forget, because we are alongside this great country with 80,000,000 people that we are only at the threshold of our career, that we have only 8,000,000 people here, that we have not begun to develop our resources, and that what we want, above everything else, is to encourage the infusion of capital into Canada. What we want in this country is to encourage capital to come in, and ensure that it shall have safe returns, and that capitalists shall not be attacked improperly or illegitimately by legislation. Unless we do that I do not know where we are going to land in Canada. What we want to do is to legislate against those combines which unreasonably affect or unduly dislocate the business conditions of the country. My hon. friend from Welland (Mr. German) says that no proceedings will take place unless prices have been enhanced, or unless you have some bad result from the combination. Now my hon. friend is a lawyer of great ability, he knows that a judge under this Act is not even called upon to ask that a prima facie case shall be made out. A prima facie case, I understand, is one upon which a judicial tribunal would be bound to decide in favour of the party making it unless it is answered in some way. The way in which these proceedings are taken is that a party files a statement alleging certain things. He does not need to give any grounds for his belief, but he merely files the usual declaration that to the best of his knowledge and belief certain conditions exist. Then he goes before the judge, and

if the judge is satisfied not that a prima facie case is made out, but that there is reasonable ground for believing a combination exists—

Mr. GERMAN. Is that not a prima facie case?

Mr. MACDONALD. No, reasonable grounds simply means that there is a plausible case made out which might be inquired into.

Mr. KING. And that it is in the public interest that an investigation shall be held.

Mr. MACDONALD. That is where I find a difficulty with the minister's definition of a combine. The judge will look to see what is the public interest, and he will find that the public interest means anything contrary to what is mentioned as coming under the definition of the word 'combine'. Let it be understood that I am speaking here purely and solely from the standpoint of a friendly critic, who apprehends that out of this Bill you will have a lot of difficulties which require the closest possible examination. Perhaps some of my objections are not tenable, but it seems to me some of them are worthy of consideration. Now, I happen to have had an experience not long ago carrying through a case which affords an example of the difficulties you would have under this Bill. A certain number of gentlemen, not with any desire to advance the public interest, inaugurated a proceeding under section 498 of the Code against certain coal proprietors in the province of Nova Scotia. The inquiry, to which great latitude was given by the magistrate, was very much along the lines required to take place under this Bill. It was protracted for two or three months, at tremendous expense to the defendants. It involved all the managing people connected with this industry being in attendance before the tribunal, and ultimately, under the instructions of the judge who charged the grand jury, the case was thrown out. There was an illustration of an investigation such as might take place under this proceeding here. I think there should be certain limitations. The judge ought to have power to say to the parties who come and invoke his authority that they should be compelled to give security for costs under certain conditions. I think also that the party against whom the allegation is made should have the right to appear by counsel at what by the Bill is an ex-parte application, and that under that section 7 all precautions should be taken to protect the honest man, to protect the gentlemen who are interested in arrangements which are bona fide. Although the hon. member for Welland drew the distinction that there must be injury to the public alleged, anybody who comes within the definition of a combine under section 2 of the Act, is open to be attacked, and the only thing that these six men need do in order to attack him is to allege that they have information that he and his associates have done something they ought not to do, and which might be detrimental to the public. Now, we must not lose sight of the fact that business interests may be seriously affected if you open up an avenue whereby business men can be kept away from their business for a long period of time; that they can be harassed and annoyed by the compulsory production of their books and papers, covering a long period of years, ultimately to find that after all there was nothing improper in connection with the matter at all. You can fancy what the feelings of legitimate business men would be who are put to all the trouble and expense of an investigation, at the instance, perhaps, of a coterie of men who want to do them an injury. They could not get back at their assailants by an action at law, the same as they could if they were charged with crime under the Code. It seems to me there should be some clause giving a right of action, and in addition, compulsory security for costs in proper cases, to be paid if it is found that there was no reason for proceedings being taken against them.

Now, there have been very satisfactory results on the whole in the operation of the law as it stands. We have had decisions by which a coal combine at Brantford was attacked; we have had several convictions in Toronto; in the northwest a lumber combine was convicted under the present law; and numerous arrangements have been held to be illegal; and contracts based upon them have been nullified by the courts during the ten years this Act has been in operation. I would say to the minister that I hope, if he does not accede to the request that the Bill be sent to a special committee, that he will give consideration to the suggestions which will be made by which men honestly making a business arrangement with their fellow men shall be protected and secured in this measure. Now, I have to revert for one minute to this first clause. It does seem to me it is a hard proposition to say that because one man has been successful in business that he cannot go and buy up a concern which has been engaged in the same business, and which has gone into bankruptcy, that he cannot carry on and increase his business, that he cannot have two or three concerns going on anywhere in the Dominion at the same time.

Mr. LANCASTER. Simply because some judges think he ought not.

Mr. MACDONALD. Judges have their whims and humours in regard to these matters, and in these matters they are acting in an extra-judicial capacity. With all deference to the learned gentlemen in my own province who have occupied seats on conciliation boards, I think it would have been very much better if these judges had not been on these conciliation boards. While it would be desirable, if you are going to have a board, to have somebody who is acquainted wtih the law, I do not like these extra-judicial duties being performed by the judges of the country.

Mr. LANCASTER. You are practically making the judges a parliament. The judges provide what the law shall be.

Mr. CONMEE. They have the power to order an investigation.

Mr. LANCASTER. No, the judges decide what is an improper combine instead of saying what it should be.

Mr. CONMEE. No, the judge only goes as far as to order an investigation.

Mr. MACDONALD. This Bill is inaugurating a new and novel principle, inasmuch as it deals with the rights of innocent business men carrying on their business in the same way as it has been carried on in this country and in England, and in a way which is expressly recognized in England. As this Bill is going to seriously interfere with all these conditions, I have endeavoured to point out some phases of it which require consideration, and I would ask the minister, if he is unable to agree to refer the Bill to a special committee, to give us the widest possible attention with regard to any amendments which may be proposed for the purpose of protecting honest business men who make arrangements. I have made these few remarks with the idea of having all join together in this House so that if any measure is to be adopted, it may be made as satisfactory as possible.

Mr. KING. I have listened rather carefully to the discussion which has taken place, and it seems to me that the general opinion, as it has been expressed, is favourable to some measure passing this parliament which will more effectively deal than any legislation on the statute-books at the present time with trusts and combines that work an injury to the public. The only difference that I see in the main in the discussion is that while there are some gentlemen on this side of the House who would like to see certain amendments inserted and have the present law made a little clearer in certain particulars, there seems to be, on the opposite side of the House, a very decided desire to, if possible, burk legislation altogether at the present session.

Some hon. MEMBERS. No, no.

Mr. KING. I beg the hon. gentlemen's pardon if I have misunderstood their motive. We are now within a short time of what is desired to be the prorogation of this parliament and any suggestion that the Bill should be referred to a select committee at this stage of the proceedings of the House can only be taken to mean that it shall not pass this session.

Mr. BRISTOL. Was it not possible for the minister to have brought this Bill down before?

Mr. KING. The Bill was brought down on the 18th of January, and from that time until to-day no suggestion has been made to me or to any member of the government that the Bill should be referred to a select committee. If hon. gentlemen had any desire or intention of that kind, they were at liberty to express it to any member of the government at any time. They need not have reserved that suggestion until this present stage of the session.

Mr. BLAIN. There was a general rumour abroad that the government would not proceed with this measure at all.

Mr. KING. The government cannot be responsible for the rumours that are abroad. I have no doubt that hon. gentlemen opposite do not desire every one to accept certain of the rumours that are abroad at the present time.

Mr. CAMPBELL. The objection I have at this stage is that the government is some years too late in bringing forward this legislation.

Mr. KING. I do not know that that very wise observation is an argument in favour of prolonging or extending the time for inquiry in regard to this Bill. I think that the whole argument of the hon. gentleman, if you could call his remarks an argument, was one strong plea in favour of legislation being enacted as soon as possi- legislation being enacted as soon as possible rather than at a later stage of this

Mr. BRISTOL. Has the minister not given this Bill his best and most careful consideration, and does he think it unreasonable that we should give it a few minutes' consideration?

Mr. KING. If the hon. gentleman will allow me to finish I think I will be able to make my position clear. The Bill has been before the House for nearly three months,

hon. members have had ample opportunity of studying it, and if they have not taken advantage of that opportunity they can hardly blame the government. However, I think it is perfectly reasonable to take the attitude which has been taken by some members that certain clauses of this Bill should be discussed very carefully, and if thought desirable should be amended in certain particulars so as to make the meaning perfectly clear. It is not the desire of the government to put through a measure which is going to work an injury to any corporation whatever in this country that is carrying on a legitimate business, and if the Bill, as framed does that I, for one, am perfectly agreeable to add to the Bill such features as may be necessary to safeguard the interests of corporations carrying on legitimate business in a legitimate way. But, I do not want to have the features omitted from this measure which will make it effective in dealing with corporations that are not conducting their business in the interests of the public. It seems to me that this purpose can be served by the committee passing such of the clauses as appear to be non-contentious. There are many of the clauses in regard to which, once the committee has considered them carefully, the committee will have an entirely different view. The fact that exception is taken to the definition of the word 'combine' illustrates what I have in mind. The definition, I admit, is a very broad one, and if everything that comes within that definition were to be considered as illegal, I would be the first one to move to strike it out altogether. But that is not the intention of the measure. It is not the combination as such that is aimed at, but the fruits of the combine where those fruits are contrary to public interest. One might see a notice to the effect that persons belonging to a certain category were not to be admitted to a certain show ground or a horse-race, and he might think on reading the definition of 'persons' that he was excluded until he found by reading the description further that it only applied to persons under sixteen years of age. It is the same with this measure. There may be a combine which is perfectly legitimate, and unless it can be shown before a judge of the high court that this combine is such as is enhancing prices unreasonably, but one stage of the proceeding would take place. The penalties do not become applicable at that stage. Further investigation takes place in which all the parties interested take part, and my hon friend from North Simoce (Mr. Currie) surely will not say that after a judge of the high court has passed upon a combine, and its business had been investigated by a board, and it has been found that a certain class of business has been carried on which is detrimental to the public, that such a combination should not come under the Criminal Code or should not be put in such a position as to render the persons responsible for it liable if they persist in their manifest wrong doing. It seems to me that once you establish that, after careful and thorough examination, such as provisions is made for by this measure, it is all important there should be other legislation such as at present exists for seeing that the conduct complained of is effectively stopped. I would suggest that we should proceed in committee, and if there are any contentious clauses the proposed amendments to them can be considered, and no doubt we will be able to so arrange them as to make them generally acceptable to the House. There is no need for the House to take evidence at this stage. We have plenty of evidence in the report of the select committee of 1888, and what is now needed is a more effective means of ascertaining the exact situation in regard to the working of these combinations.

Mr. LANCASTER. I would suggest to the Minister of Labour, that it is unbecoming on his part to lecture the opposition as to the wisdom or unwisdom of any course which in the public interest they deem it necessary to pursue. The hon. gentleman complained because we were not prepared to swallow his Bill holus-bolus on a minute's notice, and he told us we had plenty of time to consider it early in the session. The fact of the matter is that the very resolution on which his Bill is founded was only moved to-day and the hon. gentleman took three and a half hours in the busiest time of the session to explain this wonderful measure. And yet, he thinks it preposterous that we should want consideration in a committee to find out what all his talk was about. I trust that in future the Minister of Labour will not have the temerity to lecture this side of the House on the propriety of their conduct.

On section 4,

Mr. BLAIN. I understood the minister to express himself that this measure must be forced through this House and become law this session. It is important now that the minister should state frankly whether he does propose to press this legislation to a finality this session, which it is expected will last only a few weeks longer.

Mr. KING. I am not aware that I used the expression that I desired to force any legislation through, and indeed I should very much regret if legislation of this importance were forced through the House. On the other hand, I believe that the people of Canada are anxious to have legislation of this kind passed, and I can see no

reason why it should not be enacted at the present session. As we go through the different sections I think it will become apparent that our differences exist with respect to only two or three clauses of the Bill, and these slight differences can be reconciled in committee by conference. Possibly we have not very much time before prorogation, but I do not think this Bill will delay the business of the House, and if it can be put through this session I think it ought to be put through.

Mr. RHODES. Why does the Minister of Labour object to this Bill being sent to a special committee?

Mr. KING. For the simple reason that I do not think any useful purpose would be served. On the other hand there is very serious objection in that such a reference would probably mean that the Bill would not become law this session.

Mr. RHODES. Why does the Minister of Labour think that no useful purpose would be served by sending the Bill to a committee?

Mr. KING. Because this Committee of the Whole have already in their possession the information necessary to enable us to proceed. A select committee of this House has already investigated combinations and trusts and its report is before us.

Mr. BLAIN. How long ago?

Mr. KING. Twenty years ago. The fact that certain members of the House were not in parliament then does not preclude them from reading the evidence taken.

Mr. BRISTOL. Does the minister think there have been no changes in business conditions during the last twenty years? On that point, there are many people who would want evidence taken.

Mr. KING. Whatever change has taken place has been a change in the direction of emphasizing the necessity for such legislation as this. The boards of trade of Toronto and Montreal, the wholesale grocers, the retail grocers, the Manufacturers' Association, the Dominion Trades and Labour Congress, the Union of Canadian Municipalities, the Dominion Grange, the Victoria Board of Trade, leading manufacturers and business houses have all communicated with me in reference to certain sections of this Bill, and I shall be glad to bring their suggestions before the committee. In that way, the committee will be in possession of any facts that are necessary to a consideration of the Bill.

Mr. SPROULE. And a number of the members have received suggestions from different interests, that this Bill should be sent to a committee where they may be heard.

Mr. RHODES. At a former session of the House, the Minister of Finance enunciated the doctrine that the opposition in parliament had only such rights as the government of the day would agree to give them, and since then the eminent legal authority from Thunder Bay and Rainy River, who now sits in the seat of the Minister of Justice, stated the opposition had no rights whatever.

Mr. CONMEE. Oh, no.

Mr. RHODES. And to-night we have the Minister of Labour enunciating the new doctrine that the opposition should be estopped from making any suggestions because notice has been on the order paper for a couple of months that certain legislation would be introduced. The hon. minister may be quite right in taking the position that because notice had been given of a Bill for a couple of months it would not be proper for the opposition or for any hon. member to ask for a select committee to consider it; but I would like to contrast the action of the hon. minister with respect to this Bill with his action respecting a measure brought to the attention of the House earlier in the session, namely, the Bill respecting the hours of labour on public works. In that case, we had a Bill which had been introduced into parliament year after year, and notwithstanding the fact that a Bill in identically the same terms was introduced into the House this year, and was pressed for consideration, the minister was pleased to say that it should be referred to a special committee, although there were volumes of information respecting the hours of labour on public works, not necessarily taken in this House, but taken before the Congress of the United States, and all sorts of information in the hands of the department which the hon. minister is supposed to conduct. But to-night, the opposition is to be stopped from suggesting that this measure should be referred to a select committee, because forsooth notice of it has appeared on the order paper for two months, and because 22 years ago there was an investigation into trade matters by a special committee of this House. I would like the hon. minister, if possible, to reconcile his position on these two Bills.

Mr. KING. First of all, I cannot at all agree to the interpretation put upon my words. There is nothing in what I have said to indicate for a moment that I wish to deprive any member of the opposition of the opportunity of making any suggestions or criticisms that he may wish or proposing any amendment in Committee of the Whole. With respect to the special committee on the Eight-hours Bill, I would point out that that is a subject which has never been considered by a select committee of this House, while the subject of

this Bill was made a special reference to a select committee, and we have the evidence in bound form taken before it. Then, this legislation is simply to amplify legislation already on the statute-book, which has been discussed in this House year after year—in 1888, 1897, 1904 and 1907. At these different times, enactments were passed in this House on the subject of trusts and combines. So that it is not a new question, and this measure does not seek to introduce any new principle of law or any departure of a startling nature, but is simply to amplify the machinery already on the statute-book. That is a vastly different thing from proposing an entirely new enactment. Moreover, this is a government measure.

Mr. RHODES. If this subject can go without legislation for a period of 22 years, I cannot see the crying necessity for driving through a drastic measure near the dying hours of the session; because if this measure is to be effective it must be drastic in its provisions, and if it is not drastic, it is not worth being considered at all.

Mr. CAMPBELL. I cannot understand for a moment the hon. minister not being willing to grant a special committee of inquiry. We had a special committee on the so-called Miller Bill, and the First Minister has practically admitted that it is to be dropped. We had another special committee on the Insurance Bill, and up to a few hours ago we understood that that was to be dropped this session. We also have the Banking Act, and that is to be dropped for this session. On this Bill, on which we have practically no information except the effusion of the minister himself and what was obtained 22 years ago, I think it is only right that we should have a special committee.

Mr. DOHERTY. I understood the minister to state that he had received petitions for this Bill from a number of the boards of trade, among others the Montreal Board of Trade. I would ask him if in some of those communications it was not specially requested that this legislation should not be proceeded with until the members of the boards of trade had an opportunity to study its terms and express their views upon it.

Mr. KING. These bodies have expressed their views, and it was my intention to bring them up in the discussion in committee.

Mr. DOHERTY. What I would like to know is whether they did not request an opportunity of studying the measure and placing their views before the legislative body that was going to pass upon it. If they have expressed their views to the minister, this House ought I think to have the advantage of the expression of those views. I would not like to speak with any positiveness, but I have a recollection of having received a communication from the Montreal Board of Trade to the effect that this legislation was such that they thought that it should not be proceeded with until the boards of trade throughout the country had an opportunity to study it, and express their opinions upon it. A request coming from these bodies which have a special fitness for expressing an opinion on legislation of this kind, deserves the fullest consideration on the minister's part and on the part of this House. Before this House can give any consideration to the views of bodies so peculiarly fitted to speak upon the matter, it would seem that this House should have an opportunity through a committee or otherwise, of hearing the views of those boards. The hon. minister says this measure is not introducing any new principle. I do not want to go into any discussion on that point, but I think it may be certainly said that this government is providing a means of conducting proceedings of an absolutely inquisitorial character into the business of any man whatsoever with regard to which five or six people can be found to come forward and say that they believe that it is being carried on in a way to enhance prices, or to cause some detriment to the public. In providing for making possible such an inquisition into the business of people engaged in what, up to the present, has been considered perfectly legitimate commerce, it seems to me we are, if not introducing a new principle, at all events proposing to enact legislation which may entail very serious consequences on the business public of this country. Under those circumstances, some opportunity should be given to those who may be affected to be heard in such a manner that this House may be in a position to appreciate what they have to say.

Mr. KING. I rise primarily to mention that there is an understanding between my hon. colleague who is leading the House (Mr. Fielding) and the other side, that we adjourn shortly after eleven o'clock, and as that time is now approaching, I propose, after a few words of explanation, to move that the committee rise and report progress. After the statement of the hon. gentleman (Mr. Doherty) that the Board of Trade of Montreal had requested to be heard——

Mr. DOHERTY. I did not say that they had actually made the request.

Mr. KING. I evidently misunderstood my hon. friend, but at any rate he presumed that they desire to be heard. I have here a letter from the Montreal Board of Trade of the 24th February, 1910, which concludes by saying that the council press for consideration of its recommendations.

That letter is signed by the secretary, and contains certain suggestions which have been carefully considered. There is no request in it for any reference to a special committee. I should mention that the Hamilton Board of Trade, which seems to have the habit of suggesting with regard to such legislation, that before further progress is made they should be afforded an opportunity of being heard may possibly have made a similar request with regard to this Bill. But with that exception, in no communication I have received has there been any suggestion to refer this Bill to a select committee before which the parties interested could be heard.

I move that the committee rise and report progress, and ask leave to sit again.

Mr. GERVAIS. Before the motion is put, I would like to ask the hon. Minister of Labour if the legislation he proposes has not been inspired by German legislation relating to the 'Vereinen, Konventionen' or Syndicate.' I think we are trying to enact in Canada only a piece, but not the most important, of German legislation relating to the 'cartels' or the German commercial ententes or agreements; and in my opinion, if we pass too hastily the legislation now proposed it will interfere very seriously both with the customs and financial departments of our country. This is a very important piece of legislation concerning which quite a number of facts must be shown, but which we have not yet heard mentioned in this debate, should be brought before the House. By this Bill my hon. friend is seeking to have applied to this country but one part of German legislation as I have said, relating to the German 'ententes' or commercial agreements, or the German combines which in a general way come under the name of 'cartels.' This Bill is aiming, as in Germany,' at the suppression of oppressive commercial combines, through the reduction of customs tariffs. There are a lot of things to be stated and arguments to be used for or against those 'Vereinen, Konventionen or Syndicate,' concerning which we should have some more information, at any rate, before this Bill is put through. According to my opinion, this Bill should not be railroaded through this House.

Mr. SPROULE. As the hon. minister has referred to certain memorials and correspondence which are in his hands, I would ask him to lay them on the table so that other members of the House may have the benefit of reading them. That he is obliged to do under the rule.

Mr. KING. I shall do so with pleasure

Progress reported.

On motion of Mr. Fielding, House adjourned at 11.30 p.m.

HOUSE OF COMMONS.

WEDNESDAY April 13, 1910.

The SPEAKER took the Chair at Eleven o'clock.

SAINT JOHN HARBOUR.

Hon. WM. PUGSLEY moved for leave to introduce Bill No. 204 to authorize the erection of certain wharfs and buildings in the harbour of St. John. He said: the city of St. John has quite recently made an agreement with Mr. Frederick C. Durant for the erection of a very large sugar refinery in the city, and with a view to giving him encouragement in the erection of what is regarded as likely to prove a very important undertaking, the city has agreed to convey to him some of the property which it owns facing on the harbour, and a part of which is covered with water. As a part of the arrangement the Department of Railways has agreed also to convey to Mr. Durant a portion of its property near the ballast wharf. Then, I believe it has been agreed that either the whole or a part of the property received from the government shall be substituted for that which has been conveyed by the city. The agreement that has been come to has been confirmed by the legislature of the province of New Brunswick. The Recorder of the city is of the opinion that as this land, although within the harbour lines as defined in the statute, forms, so far as a portion of it, at least, is concerned, a part of the harbour, it is necessary to come to this parliament in order to have the authority given by the legislature of New Brunswick to make the conveyance, confirmed and ratified, and also to authorize Mr. Durant to erect wharfs and buildings upon that part of the property which is covered with water, but which is to the eastward of the harbour line. The sole object of this Bill is to carry out the agreement which has been made between the city of St. John and Mr. Durant.

Motion agreed to, and Bill read the first time.

QUESTIONS.

NORTHWEST LANDS.

Mr. HERRON:

1. Was scrip issued by the Department of the Interior for the land which Mrs. Cuthbert Gervais, formerly the widow of Urbain Delorme, Jr., was entitled to as a half-breed on her own behalf ?

2. If so, to whom was such scrip issued and when ?

3. Has the land been located at any Dominion Lands Office ? If so, at what office and at what date ?

4. Is the said Mrs. Gervais also entitled to scrip for lands as widow of the said Delorme ?

Hon. FRANK OLIVER:

1. No land scrip issued; her claim was satisfied by an issue of scrip for $160.

2. Such scrip was delivered to her attorney, Cuthbert Gervais, on the 23rd June, 1877.

3. Answered by No. 1.

4. No. This claim was satisfied by an issue of money scrip for $160, which was divided between his four children—Elise, Marie Rose, Madeline and Urbain Delorme. The shares of Elise and Marie Rose—$40 each, were delivered to them personally and the shares of Madeline and Urbain, $40 each, were delivered to their mother, Marie Gervais as guarantee. All were delivered in 1878.

Mr. HERRON:

1. Was scrip issued by the Department of the Interior to James Whitford, half-breed, for lands?

2. If so, when was such scrip issued, who obtained the same, and by whose order or authority?

3. Has the land been located under such scrip? If so, at what office and at what date?

Mr. OLIVER:

1. As there are several persons by the name of James Whitford in the records of Half-breed claims, the names of the parents of the claimant referred to will have to be furnished in order to establish his identity.

Mr. MAGRATH:

1. Was the N.E. ¼ Sec. 31, Tp. 30, Range 24, W. 4th M. applied for in September, 1908, as a pre-emption by the homesteaders of the adjoining land?

2. Was it reserved and not available for settlement during that month? If so, for what purpose and when did it become available for settlement thereafter?

3. What opportunity, if any, was given to the homesteaders of adjoining land to obtain it as his rightful pre-emption?

4. When and by whom was it obtained and under what conditions?

Mr. OLIVER:

1. Yes, by Lester B. Haley, the homesteader of the N.W. ¼ of section 32, adjoining. Other applications may have been made to the Agent of Dominion Lands of which there is no record in the Department.

2. This quarter section appeared in error as 'Disposed of' in the list of odd-sections sent to the Agent of Dominion Lands prior to the 1st September, 1908.

On the 22nd May, 1909, the Agent of Dominion Lands at Calgary was instructed to post a notice in his office setting forth that the whole of section 31, township 30, Range 24, west 4th meridian, would be available for homestead entry by the first eligible applicant over the counter, at the expiration of 10 days from the date of such notice. The sub-agent was also instructed to post a notice in his office.

3. Answered by No. 2.

4. On 21st June, 1909, by Alton David Irvine as a homestead.

He was permitted on the 30th August, 1909, to abandon his entry for the purpose of having Half-breed scrip located on the land.

Under date of 19th October, 1909, Harold F. McDonald located Half-breed scrip on this quarter section, which he subsequently assigned to Alton David Irvine, to whom patent therefor was issued on the 16th November, 1909.

Mr. MEIGHEN:

1. To whom has patent issued for S.W. ¼ 18—19—20—W 4th meridian, and when?

2. Did the patentee receive same as a homestead? If so, when did he enter, and what homstead duties had he performed when patent issued?

3. What proof had the department that such duties were so performed?

4. If same was not granted as a homestead under the Dominion Lands Act, why was it granted; under what statutory authority, for what reasons and on what terms?

5. Was the department in receipt of applications from others for this land as a homestead? If so, from whom, under what dates and why was each refused?

Mr. OLIVER:

1. Patent has not been issued.

2. S.W. ¼ 18-19-20-W. 4th is held as a homestead by M. B. O'Connor. The entry was made on the 9th of October, 1906. Land still unpatented.

3. See answer to question 1.

4. Land held as a homestead under the Dominion Lands Act. (See answer to question 2.)

5. So far as the file shows, the department is not aware of any application from other parties for this land as a homestead.

Mr. STAPLES:

Does the S.W. ¼ 32—7—5, W. 1st belong to the government? If so, is it open for homesteading or for sale? If not, to whom has title been issued and when?

Mr. OLIVER:

1. No. Patented 5th June, 1884 to William Lilly, who had made pre-emption entry therefor.

Mr. HERRON:

1. Is it the intention of the government to throw open in the near future any portion of the Peigan Reserve for homesteading, purchased homesteads, or pre-emptions?

2. If so, will the lands be disposed of by public auction or private sale? If by the latter method, at what price?

Mr. OLIVER:

1. No.

2. The remaining unsold surrendered lands on the Peigan Indian reserve will be offered for sale by public auction in June next.

Mr. BRADBURY:

1. Is the government aware that some time since January, 1910, a number of half-breed scrip is said to have been located without the half-breed to whom the scrip was issued being present and presented to the Dominion Lands agent as required ?

2. Is the government aware that the scrip issued to Jean Riel, son of the famous Louis Riel, is said to have been located since January, 1910, and that the said Jean Riel died at St. Boniface some time in July, 1908 ?

3. By whom was said scrip located and under what authority?

1. No.

2. Scrip notes for 160 acres and 80 acres were issued to Jean Riel, son of Louis Riel. The 160 acre scrip note was located on the 17th March, 1902, by the grantee, on the northwest quarter of section 12, township 10, range 12, west 2nd meridian, which he subsequently assigned to William S. Stewart, of Charlottetown, P.E.I., to whom patent therefor was issued on the 27th June, 1903.

No report of the location of the 80-acre scrip note issued to Jean Riel has as yet been received in the department.

3. Answered by No. 2.

INCORPORATED COMPANIES.

J. P. TURCOTTE:

1. About the 29th day of March, 1910, was there had, between the authorized representatives of the federal government and the authorized representatives of several of the provincial governments of Canada, an exchange of views on the question of the respective jurisdiction of the legislature of each of the provinces and of the parliament of Canada in the matter of the civil constitution of companies and as to the rights of companies so constituted ?

2. If so, where was this conference held and at whose request ?

3. Who were the respective representatives of the federal and the provincial governments at this conference ?

4. Was there an agreement at this conference on the question of its object ?

5. Has the federal government official communication from the provincial representatives at this conference of the following resolutions adopted by them: 'Whereas, the government of Canada has proposed to submit to the Supreme Court of Canada, the question of the respective jurisdiction of the provinces and of the federal parliament in the matter of the civil constitution of companies and as to the rights of companies so constituted. And whereas the Supreme Court of Canada, in the case of the Canadian Pacific Railway Company and the Ottawa Fire Insurance Company, has already maintained the claims of the provinces in that regard, it is therefore resolved, that in accordance with this judgment, the provinces deem it neither opportune nor desirable to consent to any other reference implying substantially the same questions. That they are of the opinion that it is not in the public interest to put in question the powers exercised by the provinces for more than forty years. That they believe that foreign corporations should not be empowered to enjoy within the limits of any province greater privileges than the companies incorporated by the sister provinces. That they say they are well disposed to take part in a conference to consider the drawing up of an amendment to the British North America Act in order to define more clearly and in a definite manner the respective rights of the Dominion and the provinces in that regard ? '

6. Is it the intention of the federal government to amend the British North America Act as it concerns the civil constitution of companies and the extent of the rights conferred on them, as they are constituted by the government of Canada or by each of the provinces ?

Hon. CHARLES MURPHY:

1. Yes.

2. The Railway Committee room of the Senate, Ottawa. At the request of six of the provincial governments.

3. Dominion.—The Right Honourable Sir Wilfrid Laurier, the Honourable Mr. Aylesworth, the Honourable Mr. Lemieux, and the Honourable Mr. Murphy.

Ontario.—The Honourable Mr. Hanna, C. H. Ritchie, K.C., and Edward Bayly, solicitor to the Attorney General's Department.

Quebec.—The Honourable Mr. Taschereau, the Honourable Mr. Mackenzie and C. Lanctot, K.C., Deputy Attorney General.

Manitoba.—The Honourable Mr. Campbell and the Honourable Mr. Howden.

New Brunswick.—The Honourable Mr. Hazen and the Honourable Mr. McLeod.

British Columbia.—Mr. H. A. Maclean, K.C., Deputy Attorney General.

Saskatchewan.—The Honourable Mr. Turgeon.

4. No.

5. A resolution was presented at the conference by the chairman of the representatives of the provinces, but not in the words set out in the question. The language of the resolution was as follows:

The delegates of the provinces assembled at Ottawa, on the 29th day of March, 1910, have adopted unanimously the following resolutions : Whereas it has been proposed by the government of Canada to submit to the Supreme Court of Canada the question of the jurisdiction of the provinces and the federal parliament respectively in reference to the incorporation of companies and of the rights of companies so incorporated; and whereas the Supreme Court of Canada, in the case of The Canadian Pacific Railway Company vs. The Ottawa Fire Insurance Company, has already upheld the contention of the provinces in this behalf; it is therefore resolved: (1) That the provinces in view of this judgment do not think it expedient or advisable to consent to another or further submission, in-

volving substantially the same issue. (2) That they are of opinion that it is not in the public interest that the powers exercised by the provinces for over forty years should again be brought in question. (3) That they believe that foreign corporations should not be accorded or enjoy, within any province, greater powers than companies incorporated by sister provinces. (4) That they express their willingness to join in a Conference to draft an amendment to the British North America Act, to more clearly define and set at rest the respective rights of the Dominion and the provinces in this respect.

The Honourable Mr. Aylesworth, immediately after the presentation of the resolution, stated that before the conference dissolved he desired to call attention to a statement therein that the powers under discussion had been exercised by the provinces for over forty years without question. On the contrary, successive Ministers of Justice from the time of confederation to the present day had repeatedly called the attention of the provinces to Acts incorporating companies wherein the provinces had gone beyond their jurisdiction in assuming to confer on provincially incorporated companies powers not within their jurisdiction, which is 'the incorporation of companies with provincial objects,' under the British North America Act. In many cases such Acts were amended after comment of the Minister of Justice, and several of such Acts have been disallowed. He also stated that in the early days of confederation the provinces had not gone beyond the powers which various Ministers of Justice considered they possessed as they have been doing during more recent years. It is only when companies are incorporated by provincial legislation that their constitution comes before the Minister of Justice for consideration. There is no opportunity to question the validity of the incorporation of provincial companies which takes place under the general Companies Acts of the provinces. The statement that the judgment of the Supreme Court in Canadian Pacific railway v. Ottawa Fire Insurance Company had upheld the contention of the provinces, which is repeated in the resolution, had been commented upon at an earlier stage of the proceedings, prior to the presentation of the resolution, and the remarks then made indicated that this statement was not correct. Two judges of the Supreme Court upheld the contention of the provinces, two upheld the directly opposite view, one did not express an opinion on the general question, but restricted his judgment to the case between the private litigants before the court, and the sixth judge did not take part in the judgment, stating that it was not a proper case in which to dispose of a serious constitutional question.

6. The federal government has no such power.

Mr. MURPHY.

QUEBEC FISHERIES.

Mr. BOYER:

1. After the adoption of Special Fishery Regulations on or about the 12th day of September, 1907, on the recommendation of the Minister of Marine and Fisheries, and in virtue of the provisions of chapter 45 of the Revised Statutes of Canada, by His Excellency in Council, respecting fishing in the province of Quebec, was it lawful for the government of that province to issue licenses for fishing in the localities where fishing is prohibited by these Special Fishery Regulations?

2. Does the government know that the provincial government of Quebec, by its inspectors, has, it is alleged, granted such licenses?

3. If that was brought to its knowledge, would it have been able to prevent it, on being informed that the government of Quebec pretends to be itself the proprietor of the fish in inland waters?

4. Has the government one or more paid inspectors, charged with having inspected those Special Fishery Regulations in the province of Quebec?

5. Who are they and what is the salary attached to the position?

6. Does the engagement of such officer charge him also with other duties inherent to his office?

7. Could such officer, for example, occupy a position of fishing inspector for the government of Ottawa and that of Quebec at the same time and receive a separate salary from each government?

8. Does the government believe that in this alternative, such inspecting officer is in a position to equitably perform his duty, if it be true that a conflict exists between the two governments, one the federal government, which regulates the fishing in fresh waters, and the other the provincial government, which pretends to be the sole proprietor of the fish which live in the same waters?

Sir WILFRID LAURIER.

1. No.

2. Yes; but on the attention of the local government being called to the incident, the licenses were immediately cancelled.

3. Answered by No. 2.

4. Yes.

5. Joseph Riendeau, of Montreal, $1,100; from the eastern boundary of Portneuf west, including all the counties north of the River St. Lawrence and embracing the river itself. C. A. Bernard, St. Cesaire, $1,000; all the counties on the south shore of the River St. Lawrence, west of the western boundary of the county of Bellechasse. William Wakeham, Gaspé, $2,000; the remainder of the province of Quebec, including the Gulf division to Blanc Sablon.

6. The duties of these inspectors embrace the general supervision of the fisheries within the district for which they are appointed.

7. The federal government has not taken exception to such an arrangement.

8. There is no conflict concerning interior waters.

QUESNEL-FORT GEORGE MAIL SERVICE.

Mr. BURRELL:

1. To whom has been awarded the contract for carrying the mails between Quesnel and Fort George ?
2. How many tenders were received?
3. What were the amounts of the tenders ?
4. Does the contract call for a bi-weekly or a monthly service ?

Hon. RODOLPHE LEMIEUX:

1. The contract has not been awarded.
2. Seven tenders were received.
3. Until the contract has been awarded the tenders must be treated as confidential.
4. The contract will provide for a frequency of not less than weekly in summer and fortnightly in winter.

QUESTIONS AND MOTIONS.

On question 17 Mr. Boyer—

Mr. FISHER. Some of the answers to this question might be given in a few words, but some of them would be very long, so that we will have to let it stand as a notice of motion for a return. I will, however, as soon as the information is obtained present it to the House.

Mr. SPROULE. I would like to interject a query here, because many questions are in the same position. When they stand as notices of motion for returns, there is no opportunity of moving them, and, therefore, they are nullified for the rest of the session. It seems to me that some provision ought to be made by which these motions should be allowed to pass during the present session.

Sir WILFRID LAURIER. I may say to my hon. friend that the committee on the revision of the rules has a rule in contemplation which will meet his suggestion.

Mr. SPROULE. Can anything be done to dispose of the notices now on the paper?

Sir WILFRID LAURIER. Of course, we are now within the present rules, and we must remain so, but in the rule which we propose to bring in it will be provided that in a case of this kind the motion will go at once. The new rules will come into force next session.

Mr. GEORGE TAYLOR. Perhaps the hon. the premier would allow the unopposed notices of motion to be taken up some day and disposed of.

Sir WILFRID LAURIER. Perhaps we can do that.

INDUSTRIAL DISPUTES.

Mr. A. C. MACDONELL. I would like to ask the right hon. the Prime Minister if an opportunity will be afforded for considering Bill (No. 23) introduced by myself to amend the Industrial Disputes Investigation Act? The Bill has had its second reading and has advanced to the committee stage, but a further opportunity to consider it has not been afforded. The Minister of Labour has a Bill to amend the same Act, and I would like to have an opportunity when that Bill comes before the House for consideration to bring up my Bill, so that both amendments, which are largely identical, may be considered together.

Sir WILFRID LAURIER. I will look into the matter.

INTERFERENCE OF UNITED STATES OFFCIALS.

Mr. ARMSTRONG. Before the orders of the day are proceeded with, I wish to call the attention of the government to some matters that pertain to my district. For the past two years the two main lines of the Grand Trunk Railway running into Sarnia have been boarded 20 or 30 miles inland in Canada by government officials from the United States, who have been accustomed to ask our people most impertinent and insulting questions. There is throughout the district a general protest against this being allowed. If the Prime Minister will look at this morning's 'Citizen' he will see a report of one American citizen being turned back, and in yesterday's 'Citizen' he will find the following:

Stopped at Border—Strathroy Family Refused Admittance to U. S.

Strathroy, Ont., April 11.—About a year and a half ago Arthur Wilton of Caradoc went to Pontiac, Mich., where he obtained employment in a factory and saved enough money to purchase a house and lot. Mr. Wilton came back to Canada recently to take his wife and family to Pontiac. He took his household effects and part of the family with him and crossed the border without any objections. Last Saturday his wife accompanied by three children and a lady friend left to join her husband. They left here on the 2.18 p.m. train and when they reached Port Huron were stopped by officials and were subjected to no little inconvenience, the women stated. They were according to her story, locked in a room and asked all kinds of impertinent questions and finally sent back to Canada at midnight. The little band came back to Strathroy, where they had their first meal since leaving here. Mrs. Wilton has suffered greatly from nervous shock; her youngest child was a year and a half old.

Of course, these people will become American citizens, but I know of instances in my own town of people, especially ladies travelling alone across the border, having been subjected to much inconvenience by being asked insulting questions by these officials. I know that the attention of the government has been called to this matter in regard to other border towns, and I hope that the government will pay more attention to it than they have hitherto done.

Mr. D. C. ROSS. Following up the state ment made by the hon. member for East Lambton (Mr. Armstrong), I may say that I have already brought this matter to the attention of the Minister of the Interior, and I believe the facts stated in the article referred to to be substantially correct as I nave received a letter from home confirming them. Such representations should be made to the government of the United States that conduct of this kind on the part of their officials will not be repeated. It seems to me that both Canadian and American officials engaged in the enforcement of immigration Acts should be taught that one of their first duties is to dispense courtesy and kindness rather than heckling, browbeating and humiliation to the parties with whom they have to deal, and in this particular case they should be severely censured for the conduct of which they have been guilty. I know the family that has been mentioned very well and they are one of the most respectable families in my county.

Hon. FRANK OLIVER. In order that there may be no misapprehension as to the responsibility attached to the conduct of this government, I would like to emphasize the fact to the House that the action is taken by the United States officers and is taken in respect of people who, if not already citizens of the United States, propose to become citizens of that country. Their conduct is not such as this government is responsble for except indirectly. Perhaps it may be well for me to explain to the House just how far that responsibility extends in the case which has arisen. Under the immigration exclusion laws of the United States, as under the immigrant exclusion laws of Canada, provision is made for the exclusion at the border of people who are deemed undesirable by the immigration officials of either country. In order that there may be an efficient examination of people who are crossing at the border, and in order that railway traffic may not be delayed, it has been the custom of the United States officers to board trains destined for the United States, in Canada, for the purpose of making their examination of passengers on the train before they reach the border, so that there will be no delay at the border. The alternative of that arrangement would be that trains arriving at the border would be held there the same as they are for customs purposes, until the examination was made. Of course that would involve a very serious delay to railway traffic. So the immigration officers of the United States do the same as the customs officers of the United States, that is, for the convenience of travellers, they board trains in Canada and make the examination on the train, so that the examination may be as far as possible completed by the time the train arrives at the frontier.

Mr. EMMERSON. Do Canadian officers board American trains in the same way?

Mr. OLIVER. In some cases where it is considered necessary. But I may remark that the exclusion arrangements of the United States are much more elaborate and extensive, and involve the employment of a much larger staff, than do the exclusion arrangements of Canada. Therefore the United States employ a much larger number of men than Canada is able to employ, or needs to employ. We run our exclusion business on a much cheaper scale than the United States, although we think it is equally efficient. Now in the handling of the exclusion act along 3,000 miles of the frontier, and where so large a number of men are employed, doubtless it frequently happens that some of these men are not all they ought to be for the purpose for which they are employed, and sometimes they make mistakes, sometimes they inflict hardships needlessly. I would like to say, however, that so far as our experience has gone in dealing with the United States officers engaged on the immigration service, when we have brought to their attention any case of hardship or impropriety on the part of United States officials, we have received very fair consideration at the hands of the head of the immigration service of that country. We have never failed to bring such instances to their attention, and so far they have never failed in giving us reasonable satisfaction

RONDEAU HARBOUR.

Mr. A. B. McCOIG (West Kent). Before the orders of the day are called, I would like to call the attention of the Minister of Public Works to a couple of articles which have appeared in the Chatham local papers protesting against the provincial authorities removing a large portion of the forest on Rondeau park. One of those articles states that the provincial government is going right ahead and is destroying the natural forest which protects the Rondeau harbour. That is the statement of a Mr. Watson, who is a prominent lumberman of that particular district, and is well acquainted with the locality, and knows how important this forest is to the Rondeau harbour on which the Dominion government are spending three hundred thousand dollars to make it the best harbour on Lake Erie. The action of this government in this respect has met with the general approval of people in the western part of Ontario. They regret to see this forest, which consists of hundreds of acres, damaged to such an extent that by the removal of large trees the smaller

ones are likely to be overthrown by the heavy storms that occur in the fall of the year. I think that if the Minister of Public Works will take up this matter with the Minister of Lands and Mines of the provincial government, the latter gentleman may be induced to cease operations, and I know that such action on the part of this government would meet with general approval, because there is a very widespread protest about the removal of these trees. I think that last fall when some of the leading Toronto papers took the matter up, it was generally understood that the work would be stopped, at least for a while. I hope that the minister will take the matter up with the provincial authorities, and see if measures cannot be taken to protect that harbour, and prevent the destruction of the timber which beautifies that part of the country.

Hon. WM. PUGSLEY. The matter to which my hon. friend has called attention is one of a good deal of importance. But he will realize that the only ground upon which this government could intervene would be that the cutting away of the forest is likely to be injurious to the harbour and injurious to navigation. I can understand that under certain circumstances that might be the case; whether it is the case at Rondeau I am not at present prepared to say. However, the matter is of a good deal of importance, and I should be glad to communicate with the proper minister of the provincial government in regard to it. I shall be very glad indeed if the views my hon. friend has presented can be met.

TREATMENT OF IMMIGRANTS.

Mr. A. C. MACDONELL. I desire to call the attention of the Minister of the Interior to what appears to be a very serious grievance in connection with the exclusion of immigrants. There is a requirement that immigrants entering Canada shall each be possessed of a certain sum of money, and I have information to-day as to a case in Toronto in this connection which is one of great hardship. These immigrants are most of them illiterate and unable to speak the English language, so that they are not aware of what qualifications will be required of them when they arrive at a Canadian port. If they have not the required amount of money per capita they are then deported. A change has recently been made in the regulations in this respect, as heretofore each immigrant was not required to be in possession of a sum of money. I submit that the government should take precaution to inform those immigrants on the other side what qualifications will be required of them, and not have them come to a Canadian port under a misapprehension and be subject to the harsh treatment of deportation.

Mr. OLIVER. This question lies at the very root of the subject of immigration. It is a question as to whether we are to exercise a selective and restrictive policy or not. I take it that the will of parliament is, as expressed in the Immigration Act, that we should exercise a selective and restrictive policy in regard to immigration, and the government must carry out the will of parliament which cannot be done without occasional cases of hardship. Let the members of this House thoroughly understand that in giving sanction to restrictive and selective laws they assume responsibility on behalf of themselves and their constituents for the hardships that necessarily arise in the adminstration of these laws. It is not possible that every person in every part of the world who makes up his mind to come to Canada shall be previously informed by the government of Canada as to the regulations. All that can be done is that the government shall do what is reasonably possible to give due notice to the world as to what the requirements are. In 1908 an order in council was passed requiring that each immigrant should have a stated sum of money in order that he might be admitted into Canada. The first order in council passed required the money qualification to cover a certain term, and when that term expired another order in council was passed continuing the money qualification until the order should be repealed. These orders were, of course, passed under the authority of the Immigration Act. It is, therefore, more than two years since notice was given as to a money qualification being required. In view of the difficulty that people generally might not be conversant with the letter of the law, at the close of the last immigration season, on the 4th of June, 1909, a departmental circular was issued which gave notice to every one it could reach as to the policy of and the administration of the Department of the Interior in regard to the selection of immigrants. On June the 4th, 1909, this circular was sent to the steamship companies, to booking agents, to anybody we knew of who was interested in immigration, and the steamship companies reprinted the circular and published it in Europe as a part of their information to immigrants. This circular set out that each immigrant was required to have $25 in cash on his arrival in Canada except he was going to farm work or going to certain specified relatives who were able and willing to support him. The shipping companies reprinted that circular and it was circulated through Europe by them. I submit to the House and to the country that the Immigration Department has done all that

reasonably can be expected of it to give notice to the world as to what our regulations and requirements would be. The assertion that there has been any change in these regulations in regard to the amount of money required is not correct. It was found after administering the immigration law for nearly a year under the circular issued, that the circular was not in all particulars supported by the law. That is to say, there was a difference of opinion between the officers of the government who drafted the circular and the courts as to the support that there was in the law for the terms of the circular. The government forthwith passed another order in council on the 15th of March, 1910, which unquestionably brought the law actually in accord with the terms of the circular of June 4, 1909. In order that there might be no question as to the ampleness of the notice, care was taken that the substantial terms of the circular of June 4, 1909, should not be varied by order in council of the 15th of March, 1910. I submit, therefore, that so long as parliament places on the statute-book a law providing for the selection and restriction of immigration, the government is bound to carry that policy out, and I submit further, that the government has given all reasonable notice as to the terms of the law that is being enforced and the necessity for a money qualification.

Mr. MACDONELL. I have no fault to find with a restrictive or selective law; my point is that in all fairness to these people a test should be made on the other side and not when they land here.

OUTSIDE CIVIL SERVANTS.

Mr. MIDDLEBRO. Is it the intention of the government to introduce legislation this year in respect to the reorganization or increases in salaries to the outside civil servants?

Mr. FISHER. The Act of which notice is on the order paper provides for considerable increases to the Inland Revenue, Customs and Post Office outside service.

THE BANKING ACT.

Mr. EMMERSON. Will the Bank Act be taken into consideration this session, and, if not, has the government under consideration the appointment of a commission to inquire, between now and next session, into the workings of the Bank Act of Canada?

Mr. FIELDING. To both questions I shall have to answer 'No.' I had anticipated that there was a prospect of the Bill being got through before this session ended, but the indications are now that there would not be sufficient time to carry it through its various stages. Our intention is to deal with it early next session. With regard to the appointment of a commission, I do not think a commission could obtain any information that is not accessible to officers of the department who may be instructed to study the question.

NAVAL SERVICE OF CANADA.

Sir WILFRID LAURIER moved that the House go into committee on Bill (No. 95) respecting the naval service of Canada.

Mr. DOHERTY. I would ask the right hon. the leader of the House, if it is possible, that he should allow this Bill to stand over in view of the illness of the leader of the opposition. The measure is of considerable importance, and the leader of this side of the House, who is unfortunately absent to-day, would naturally feel desirous to be present at the discussion of it. I quite understand it is not a matter of right, but if the leader of the government could see his way to let the order stand, it would be very convenient.

Sir WILFRID LAURIER. Of course, Mr. Speaker, it is my privilege and I think to some extent my duty to try and meet the wishes of my hon. friend (Mr. Doherty), I will not press the Bill to-day. I will try and arrange with my hon. friend on the other side as to when it can be taken up.

Motion withdrawn.

CIVIL SERVICE ACT AMENDMENT.

House went into committee to consider the following proposed resolution.

Resolved, that it is expedient to amend the Civil Service Act by providing for the appointment of temporary clerks for the compilation of any decennial census, who may be employed for a period not exceeding three years, and who shall be eligible for the annual statutory increases provided by the Civil Service Amendment Act, 1908; by providing that the salary of a temporary clerk employed under section 23 of the said Act shall not be greater than the minimum salary authorized for subdivision B of the second division, subject to be increased as authorized by section 33 of the said Act; and for the payment to collectors of customs of a salary not greater than $4,500 per annum; and for the payment of officers of inland revenue salaries not greater than the following maximum, viz.: inspectors, $3,200; collectors, $2,800; deputy collectors, $2,200; accountants, $1,800; special class excisemen, $2,500; first, second and third class excisemen, $1,500; probationary excisemen, $600; stenographers and typewriters, $700; messengers, $800; and for the payment of officers of the Post Office Department, as follows, viz.: post office inspectors on appointment, $2,500, with an annual increase to a maximum of $3,500; assistant post office inspectors and superintendents of the railway mail service on appointment, $1,600, with an annual increase to a maximum of $2,500, and to author-

ize the increase to the minimum of the salary of any such officers whose salary is at present less than the minimum; and assistant postmasters, on appointment, a salary of not less than $1,100 and not more than $2,800, and that the said salaries and increases shall be payable as from the first day of April, 1910.

Mr. GERVAIS. Is it the intention of the minister to appoint more than one Census Commissioner?

Mr. FISHER. This resolution refers only to the appointment of extra clerks required for compiling the census returns in Ottawa. Under the present Act temporary clerks can only be employed for six months, and the census clerks will be required certainly for from two to three years. By this legislation we will be empowered to employ temporary clerks for a longer period than the Act provides.

Mr. GERVAIS. There is a provision in the Census Act for the permanent taking of information in connection with the census; who is to be in charge of the whole of that new extra work in connection with the new general census?

Mr. FISHER. The census commissioner.

Mr. GERVAIS. Mr. Blue?

Mr. FISHER. Yes.

Mr. GERVAIS. Is it the intention of the minister to appoint some one to act jointly with Mr. Blue in supervising generally the census in all provinces?

Mr. FISHER. No, we have the secretary of the Census Bureau and other chief officers. It is not my intention to appoint any chief officers for the general work. There will be census commissioners appointed in each province, but they will be outside and not in the inside service under the Civil Service Act.

Mr. GERVAIS. There will be no joint commissioner with Mr. Blue?

Mr. FISHER. No.

Mr. GERVAIS. Is it not a fact that for the taking of the census of 1900 there was a joint commissioner with Mr. Blue? I refer to Mr. Côté.

Mr. FISHER. No, Mr. Côté was the assistant and occupied the same position with relation to Mr. Blue that Mr. St. Denis does.

Mr. GERVAIS. There will be no assistant to Mr. Blue for the next census?

Mr. FISHER. None outside the present secretary of the office in the department—Mr. St. Denis.

Mr. GERVAIS. Will Mr. St. Denis have the same powers as Mr. Blue?

Mr. FISHER. No.

Mr. GERVAIS. There will be no supervision or control at all beyond that of Mr. Blue?

Mr. FISHER. Certainly not.

Mr. GERVAIS. I understood Mr. Côté had equal power with Mr. Blue.

Mr. FISHER. No, my hon. friend is entirely misinformed. Mr. Blue had absolute power and control of the whole census, and Mr. Côté was one of his assistant officers.

Mr. SPROULE. I notice that provision is made that these clerks are to be allowed a salary not greater than the minimum salary authorized for subdivision B of the second division. That is in reference to clerks employed to compile the census?

Mr. FISHER. Yes.

Mr. SPROULE. They are to be appointed as ordinary temporary clerks commencing at $500 just like temporary clerks do now.

Mr. FISHER. The only difference is that we will be entitled to employ them for a longer period than we are now authorized to appoint temporary clerks for, and being employed for perhaps two or three years, they will be entitled to statutory increases, the same as permanent clerks will be during the period of their employment.

Mr. SPROULE. That is an increase of $50?

Mr. FISHER. Yes.

Mr. SPROULE. Then they come in at $500?

Mr. FISHER. Under this Act we are arranging that some temporary clerks may be employed in subdivision B of the second division the same as in the third division, and it may be that a few of the temporary clerks for the census who will have charge of a block of other clerks will come in at a higher degree—that is at $800 instead of $500—at the minimum of the second division instead of the minimum of the third division.

Mr. SPROULE. Then you have not provided for that in your resolution, because you say:

That it is expedient to amend the Civil Service Act by providing for the appointment of temporary clerks for the compilation of any decennial census, who may be employed for a period not exceeding three years, and who shall be eligible for the annual statutory increases provided by the Civil Service Amendment Act, 1908; by providing that the salary of a temporary clerk——

Mr. FISHER. That applies to the whole Act, and not to census employees only. One clause of the Act of 1908 defines our

powers with regard to the census. Then the resolution says:

—by providing that the salary of a temporary clerk employed under section 23 of the said Act shall not be greater than the minimum salary authorized by subdivision 'B' of the second division, subject to be increased as authorized by section 33 of the said Act.

Under the present Act all temporary clerks have to go into the third division, subdivision 'B'. This is a provision that certain temporary clerks employed for a short time may be brought into subdivision 'B' of the second division, instead of subdivision 'B' of the third division. This has no reference particularly to the census.

Mr. J. HAGGART. What is the salary that they are entitled to in subdivision 'B' of the second class?

Mr. FISHER. It begins at $800.

Mr. J. HAGGART. You could employ the whole of these clerks that you take in at $800.

Mr. FISHER. Yes, if I thought of doing such a thing, but I would not think of it. The Civil Service Commissioners have found that we have frequently had applications from ministers through their deputies for the temporary employment of men of a higher character for special work, and it has been found impossible to get these men at $500 a year. We have, therefore, made this provision in order that they may be brought in at the minimum of the second division instead of the minimum of the third division. The Act of 1908 provides that temporary clerks shall come in at the minimum salary, and that has been held to be the minimum salary of subdivision 'B' at $500. As I explained to my hon. friend from Lanark (Mr. Haggart), it has been found difficult to get men of the desired class for temporary work, and we therefore propose to pay them the minimum salary of subdivision 'B' of the second division instead of that of subdivision 'B' of the third division. That will be done only where the work is entitled to be so paid.

Mr. SPROULE. They start at $800, and go up to $1,600.

Mr. FISHER. I am talking of temporary clerks only, and temporary clerks could only be employed, except in census work, for six months in the year with no statutory increase. If a man is employed temporarily he can only be employed for six months. He can be paid at the rate of either $500, or at the rate of $800.

Mr. SPROULE. But your resolution provides that the term is to be three years.

Mr. FISHER. That is for the census people?

Mr. SPROULE. Yes, but they are employed as temporary clerks?

Mr. FISHER. Yes.

Mr. SPROULE. And they commence at $800, and run up to $1,600?

Mr. FISHER. A few of them who may be employed as superior clerks, and put into that division, instead of into the third division, would commence at $800, but they would only be employed for three years, and during those three years they could only increase at the rate of $50 per year, or up to $950. There is another provision later on in the resolution, which says that temporary clerks may also have the addition which is permitted under section 33 of the Act, in case the employment is of a character which is not sufficiently paid for by the minimum salary of the class. For instance, if the Public Works Department required to employ an engineer for three months, under the present Act it could only pay him at the rate of $500 a year, and it would be impossible to get an engineer at that rate. We make provision that exceptional temporary clerks may be put into the second division, where the minimum is $800 a year. I do not propose to apply that generally to the census employees, whose work is in a class by itself, and is of a nature that would hardly justify such a provision, although I think that a few of them ought to be paid more than $500 a year. I may say that out of 200 or 300 census employees there would probably be not more than half-a-dozen who would be put in the second division.

Mr. DOHERTY. I notice that the resolution provides for the payment to collectors of customs of a salary not exceeding $4,500. I have no doubt that in fixing this amount the hon. minister has given full consideration to all the circumstances that ought to determine the amount of the salary. I would like, however, to suggest that there are certain ports where collectors of customs handle a very large volume of business and a very large amount of revenue, and that there has been a very great increase in that business and that revenue since the salaries were fixed at the present amounts. Furthermore, in view of the great increase in the expense of living that has taken place since that time, the government might well take into consideration whether in such cases it should not pay even a larger salary than $4,500 a year. I have at present in my mind the Collectorship of Customs of the port of Montreal. The immense increase in the business of that port and in the revenues collected there are matters of such public notoriety that it is not necessary for me to go into details in that regard. That immense increase involves a large increase in the work

imposed on the collector and a large increase in the responsibilities laid on his shoulders. Under these circumstances, I think I may be pardoned if I take it upon myself to urge upon the minister a further consideration of the question whether in a port of such importance the services of the collector should not be remunerated at a larger salary than $4,500 a year. When one considers the salaries paid to men in ordinary business life, whose responsibilities do not compare with those of the Collector of Customs of Montreal, it seems to me that the government might see its way to pay a larger salary. I make no reference to the qualifications of the gentleman who now occupies that position; I refer to the matter generally. If I did make reference to his qualifications, I am sure that the minister would agree with me that they would very materially strengthen the case which I am endeavouring to make, that as regards a port of such importance, at all events, the salary suggested can hardly be considered adequate or fair.

Mr. FISHER. The matter which my hon. friend has brought up is one which is more for the Minister of Customs than for myself. The Civil Service Act, of which this Bill is an amendment, fixes the salaries of various officers outside of Ottawa. The Act as it stands limits the salary of collectors of customs to $4,000, and it is proposed to raise that to $4,500. The question as to whether a larger salary should be provided for collectors at such important ports as Montreal and Toronto is a question which I must refer to the Minister of Customs.

Mr. DOHERTY. I am glad to find that provision is being made for an increase to the extent of $500; but I have felt it my duty to point out the considerations which to my mind conclusively establish that the increase being made, while it is to be commended, does not adequately meet what justice requires in the case of the particular position to which I refer. The minister might at least have seen his way to adding the round $1,000 to the existing salary, and even then he would be very well within the mark.

Mr. PATERSON. I may say that the reason I asked the Minister of Agriculture to change the schedule of the Civil Service Act which fixes the maximum salary of collectors of customs at $4,000 was that I might be able, with the consent of Council, to given an increase of salary to the collector in Montreal and perhaps also to the collector at Toronto. The hon. minister thinks we should make the amount $5,000 instead of $4,500. Increasing the maximum will not enable us to deal with any great number of collectors of customs, because we would not feel warranted in asking that the salaries of many of them should exceed $4,000, except at Montreal and Toronto, and possibly Winnipeg. The business done at Winnipeg does not seem to warrant it, but the cost of living there seems to do so. There is difficulty, however, in this matter. The Collector of Customs at Montreal is certainly a good officer, and we value him; but in the days gone by we could not give him more than $4,000, because it seemed to be rather an anomaly that the deputy Minister of Customs at Ottawa, who is charged with the administration of the law all over the Dominion, only got $4,000, and it seemed to me that an officer subordinate to him should not be given any more, perhaps not as much. But a year ago the House was considerate enough to advance the salaries of the deputies, so that the Commissioner of Customs now gets $5,000. That opened the way to removing the difficulty which I had experienced before. If we were to advance the maximum salary of any collector of customs to $5,000, that would bring up the question of advancing the salary of the deputy, which I suppose would bring up the question of advancing the salaries of all the deputies, and we would be in the same position that we were in before. Of course, we have to proceed gradually in these matters and try to do justice. In another year there may have to be a further revision of salaries. Circumstances seem to point in that direction, as valuable officers require more than was paid in years gone by. Of course, we could not now change the amount in this resolution even if we desired to do so. Another resolution would have to be brought down. So, perhaps, we had better let this go, for the time being at any rate, and at another time something may be done in the direction of what my hon. friend desires.

Mr. CROSBY. I understand that the salary of the collector of customs in the city of Halifax has been at the same figure for upwards of 30 years. We have a man in that position who was taken from his business and appointed 4 or 5 years ago. He is a very competent officer, he enjoys the confidence of all classes of people in Halifax, and I am sure also he enjoys the confidence of the Customs Department, and we in Halifax think his salary should be increased. I need not press the matter further, because I have no doubt that the hon. minister knows the gentleman very well, and I hope he will see his way clear to increase his salary to at least $4,500.

Mr. SPROULE. The objection to this resolution is that it only deals with a fraction of the service. The minister has admitted over and over again that the salaries of various classes are low and ought to be raised. Therefore, in submitting a resolution to the House, I would

have expected that he would have included the whole service. In many cases we are increasing the salaries of the heads, but not those of the lower grades. If the increased cost of living entitles the higher officers to an increase, surely it ought to apply to those of the lower grades as well; yet they are not included in this list. When the government brings down a measure to deal with this question at all, it seems to me they should bring down one that would include the whole service entitled to an increase of salary.

Mr. FISHER. I may say that in the old Civil Service Act there is a schedule which fixed certain salaries of the outside service in the Departments of Inland Revenue, Customs and Post Office. In other departments of the outside service the ministers are free to increase the salaries of the officers as they see fit out of a lump vote. In this resolution the Minister of Inland Revenue proposes a change, raising the whole schedule from the higher officers down to the very lowest.

Mr. LEMIEUX. I have already explained to the House the features of the amendment to the Post Office Act. I intend by this Act to give increases to four categories of the outside service in the Post Office Department: First, to the post office inspectors; second, to the assistant post office inspectors; third, to the superintendents of the railway mail service; and fourth, to the assistant postmasters. Under the present scale, the salary of a post office inspector on appointment is $2,000, with an annual increase of $50 for the first six years, and of $100 per annum thereafter, up to the maximum of $2,600. For instance, the post office inspector at Halifax on appointment receives $2,000, and $50 a year of an increase during six years; after that when he has a salary of $2,300, he receives an annual increase of $100 until he reaches his maximum of $2,600. Under the new scale which we are proposing by these resolutions, an inspector will be appointed at $2,500 a year, and he will receive a yearly increase of $100 until he reaches the new maximum of $3,500. Now, there are inspectors in the service who have not yet reached the maximum of their salary. By this legislation we are authorized to pay them hereafter the $2,500 even if they have not reached that figure, and every year they will receive an increase until they reach the new maximum of $3,500.

Now, with regard to assistant post office inspectors. Under the present scale, the salary of an assistant inspector on appointment is $1,200, with an increase of $50 a year for the first six years, and $100 a year thereafter up to the maximum of $1,800. Under the new scale, their salary on appointment will be $1,600, with an increase of $100 yearly up to the new maximum of $2,500.

Now, with regard to the superintendents of railway mail service in the different districts, under the present scale, the salary on appointment is $1,500, with an annual increase of $100 up to the maximum of $1,800. Under the new scale, the salary on appointment will be $1,600, with an annual increase of $100 up to the new maximum of $2,500.

Now, with regard to the assistant postmasters. I stated to the House the other day that the assistant postmasters in the larger offices were very hard working men, and that in effect the whole work of the office was under their control, and much depended on their ability and efficiency. Under the present scale, the minimum salary of an assistant postmaster is $1,100, and the maximum salary is $2,000, the maximum depending on the revenue of the office. Under the present scale, when the postage collections exceed $80,000, he receives a salary to the maximum of $2,000; when the postage collections run from $60,000 to $80,000, he receives $1,800; when the postage collections run from $40,000 to $60,000, his salary is $1,600; when the postage collections run from $20,000 to $40,000, his salary is $1,400; when the postage collections are less than $20,000, his salary is $1,100 on appointment to $1,400, as the Postmaster General may determine. Under the new law that scale is changed, and the minimum will be $1,100 automatically. The maximum will be according to a scale which I will read to the House:

Class 1.—When postage collections are from $800,000 to $1,000,000 and over.	$2,800
Class 2.—When postage collections are from $500,000 to $800,000..	2,600
Class 3.—When postage collections are from $250,000 to $500,000..	2,400
Class 4.—When postage collections are from $150,000 to $250,000..	2,200
Class 5.—When postage collections are from $80,000 to $150,000..	2,000
Class 6.—When postage collections are from $60,000 to $80,000..	1,800
Class 7.—When postage collections are from $40,000 to $60,000..	1,600
Class 8.—When postage collections are from $20,000 to $40,000..	1,400
Class 9.—When postage collections are less than $20,000.. .. .. to $1,400 as the Postmaster General determines.	1,100

This is the new scale of salaries provided for the city post offices according to the postage collections in these offices.

Mr. BLAIN. What about the larger towns?

Mr. LEMIEUX. In the towns the postmasters are paid out of the revenue, while in the city offices they are paid out of appropriations. In the town post offices the postmaster appoints his own staff, and we bring them under this scale when the postage collections and revnues are between $20,000 and $25,000, and the population is in the neighborhood of 12,000, when we also give a free city delivery. These increases will affect 16 inspectors, 18 assistant inspectors, 8 railway mail superintendents, 7 assistant postmasters, and the amount involved will be $10,800 a year. My hon. friend from East Grey (Mr. Sproule) referred to railway mail clerks. I stated the other day in the House that in my judgment the outside service, including not only the officials in the larger post offices, but the railway mail clerks as well, should come under the Civil Service Act. It is my intention during the recess to adjust their salaries, prepare a proper classification, and try to bring them under the Act which applies now to the inside service. In 1903 the railway mail clerks received an increase when Sir Wm. Mulock was Postmaster General, and I cannot, in justice to the other classes of employees in the outside service, discriminate in their favour. True, last year I increased the salaries of the lower classes, the stampers, the sorters and the labourers but there was no dissent to that proposition, and the general opinion was that their salaries should have been increased long before. In the higher classes it is a little more difficult and delicate, but I shall have to look into the matter, with a view of doing substantial justice to all. We are dealing with some of the higher officials this year, but it is much easier to discuss the salaries of a few whose efficiency is universally recognized, than to enter into all the intricacies of the other grades of the post office service. I believe that the increases proposed this year meet with the approval of the country.

Mr. SPROULE. The minister gives a very peculiar reason for not increasing the salaries of the middle classes this year. He told us he increased the salaries of the highest classes because they were the highest, and of the lowest because they were the lowest, but the middle classes he has not dealt with at all.

Mr. LEMIEUX. I am not prejudiced at all against the railway mail clerks; on the contrary I wish to do justice towards them. But they cannot sustain their claim against the ordinary clerks in the post office who have not had an increase and who do exactly the same work, and often under considerably more difficult circumstances.

Mr. SPROULE. Does not the minister think that their position and work are as different from those of the man established in a permanent office as day is from night? They are subject to dangers, privations, hardships and extra expense that the man sitting in his office knows nothing about.

Mr. LEMIEUX. That is true in a way, but still there are good answers to all that. The railway mail clerk is meeting with dangers in the exercise of his functions, but on the other hand, he works only during some days of the week and he has days off. The clerks are closeted in the post offices, and they have to work day in and day out. Of course, they do not encounter the same dangers, but they have not the same facilities for breathing pure air as the railway mail clerks have. The railway mail clerks, it is true, are exposed to some dangers, but are not commercial travellers also exposed to dangers?

Mr. SPROULE. Not to the same extent at all.

Mr. LEMIEUX. They are on the same train.

Mr. SPROULE. The minister must admit that there is a wonderful difference with respect to the danger between the man who is in the hind car and the man who is in the car next the engine.

Mr. LEMIEUX. Yes, I admit that the railway mail clerk is not far from the engine, but, if the train runs well, if there is no accident, there is no more danger for him than for the commercial traveller in the first or second-class car or in the parlour car. I am not at all against the claims of the railway mail clerks. I simply say that I would not be inclined to discriminate between their case and that of the clerks in the offices. It requires a little investigation on my part, and I wish to be fair and just towards the different classes in the service. If I were to give an increase this year to the railway mail clerks I am sure that I would have a very strong protest from the clerks in the post offices. I must take the opportunity during recess of going into this matter. Time flies, and it should not take too much time. The railway mail clerks have already received a substantial increase, and they can afford to wait a few months more.

Mr. RUSSELL. Would the Postmaster General tell us what was the increase that the railway mail clerks received in 1903?

Mr. LEMIEUX. The mail clerks in 1903 were granted a substantial increase in their salaries, and they were the only branch of the service dealt with at that time. Up to 1903 the railway mail clerks were appointed in three divisions, known as the

first, second and third classes. Men in the third class were appointed at $480, after two years going up to $520, after five years $560, and after ten years $640. In the second class they started at $600 and increased, after two years to $640, after five years to $720, and after ten years to $800. The first class started at $720, and increased, after two years, to $800, after five years to $880, and after ten years years to $960, and $960 was the highest salary to which any railway mail clerk could attain in addition to his mileage. It will then be seen that the increases in the railway mail clerks' salaries were at the rate of $40 for two years which is equivalent to $20 per year. It did not necessarily follow that when a man had reached the maximum of a class to which he belonged he would be promoted to the next class; in fact, in a great many instances he had to wait until there were vacancies in the other class before he could be advanced to a higher class. As a matter of fact he had sometimes to wait for two or three years before passing from one class to another. Owing to representations made with regard to their work, the dangers they ran, the hardships they suffered, and at the request of the railway mail clerks themselves, the different classes were abolished in 1903. Under the change made by Sir William Mulock a railway mail clerk is now appointed at a salary of $500 per annum, after six months probation, with mileage—my hon. friend knows what mileage is—and he goes on uninterruptedly, unless there is some report against him, by increases of $50 per year, until the maximum of $1,200 is reached. Under the old arrangement his maximum was $960. Since 1903 he has reached a very fair and substantial increase. His maximum is now $1,200 besides his mileage. Some railway mail clerks can make salaries reaching the very respectable figure of $1,900—not many, but some. This was a very considerable increase as the following figures will show. Under the old law a man starting at the minimum and going to the maximum salary of the first-class, $960, would attain that maximum in a period of seventeen years, but as above stated, where delays took place in promotion from one class to another until vacancies occurred these delays would probably double that time before he would receive the maximum salary.

Now, a man going on at $500 and receiving his increase year by year, which will be granted to him if he is worthy, attains the maximum, not of $960 but of $1,200, in fourteen years as against seventeen years in the old days. The maximum has been increased by $240 and the time in which the maximum can be attained decreased by three years. Under the old Act if he had been granted his increase and promotion without delay, which was never known to occur, he would have earned in seventeen years $11,560, while under the new Act he earns $16,350. Under the old Act the first class railway mail clerk who had reached the maximum salary would have received $5,760 during his last six years, and during that same period under the new Act he would have received $6,740, or an increase of 17 per cent, which salary would continue year after year as long as he remains in the service. In 1903, when Sir William Mulock increased their salaries, the railway mail clerks were in a very inferior position and he placed them on a very much better footing. It is my desire and intention to still further improve their position, but it would not be just to the other classes of employees in the service who have no mileage allowance and who have not received any substantial increase in the past. During the recess I intend to bring about this reform, which I have contemplated for many years, and they will receive justice at my hands.

Mr. G. V. WHITE. In an answer given by the Postmaster General to the hon. member for Toronto (Mr. Macdonell) the minister placed the stampers and sorters of the city post offices in the same class as the railway mail clerks. Are they required to pass the same examination as the railway mail clerks do?

Mr. LEMIEUX. Many of the railway mail clerks are appointed without the examination required by the Civil Service Act, but with the expansion of the postal service, especially in the west, it was found impossible to get railway mail clerks fully equipped, and so we take the best young men we can secure for the service, and after a period of probation they pass their examination and then come within the law. They have got to pass a more difficult examination than the ordinary stamper and sorter, but the clerks in the city post offices have to pass just as stiff an examination as the railway mail clerks.

At one o'clock, committee took recess.

Committee resumed at three o'clock.

Mr. CROSBY. I am glad to find that the Postmaster General is providing by this Bill for increases in the salaries of some of the outside service, and also that it is his intention to take up during this year the other branches of the outside service. Last year I urged upon him that in the cities, particularly in cities like Halifax, where the mails come in at all hours, and men sometimes have to be on duty for eight or ten hours waiting for them to arrive, special consideration should be given. I tried also to impress

upon the Postmaster General that now that the Post Office Department is showing a large surplus, the minimum salary of a post office clerk in a city should be not less than $1,000 a year. Money is a great temptation to a man when he needs it, and occasionally we find some of the men in the post offices going astray. The increase of salaries has not gone far enough, and I hope the day is not far distant when no clerk will be employed in a city post office and expected to keep a family on less than $1,000 a year. Perhaps the maximum need not be much higher than that. I hope and trust that the Postmaster General will take this matter up during the year, and see his way to come to that conclusion. With regard to the letter-carriers——

Mr. LEMIEUX. They have had a substantial increase.

Mr. CROSBY. I am very much pleased with what the Postmaster General has done for them, but I hope the day is not far distant when a letter-carrier will not be asked to work for less than $800 a year. There are very few of the post office clerks who are not married. There is a rule in our banks that a clerk is not allowed to marry until his salary is $1,200 a year, and I think there should be a somewhat similar rule in our city post offices.

Mr. BLAIN. I would like to be permitted to ask a question of the Postmaster General. Section 115 of the Postal Guide of 1909 reads:

All letters and other mailable matter despatched from Ottawa by the Speaker, or chief clerk of the Senate or of the House of Commons or the librarian of parliament, as well as all mail matter directed to the Senate, to the House of Commons or to the library of parliament, at Ottawa.

In the Postal Guide for 1910, the words, 'as well as all mail matter directed to the Senate, to the House of Commons, or to the Library of Parliament, at Ottawa', are omitted. May I ask under whose authority this was done?

Mr. LEMIEUX. I have not fresh in my mind the order in council which dealt with that matter immediately after last session. As my hon. friend's question is not germane to the Bill, I would ask him to bring it up at another sitting of the House, and I will give him the information. At all events, I may say that nothing of the privileges of members has been barred by any order in council that has been passed.

Mr. BLAIN. It does not apply to members. I will bring it up at another time.

Mr. RUSSELL. I would like to ask the Postmaster General if stampers and sorters have to pass the same examination as railway mail clerks?

Mr. LEMIEUX. Not the same examination; but outside of the stampers and sorters there are in the post offices several classes of clerks who have as difficult and intricate work to perform mentally as the railway mail clerks, and who have as severe an examination to pass. I refer, for instance, to those in the Registry Branch, and those in the Inspector's Branch.

Mr. RUSSELL. But these other clerks receive salaries going as high as $1,500 a year

Mr. LEMIEUX. The clerks of the different classes can pass from one class to another provided there is a vacancy. The railway mail clerks, when appointed after their probationary period, get $500, and they go up by regular annual increases to $1,200, and they get the mileage allowance besides. It is true that the mileage allowance is only intended as compensation for their living expenses on the road; but suppose you should offer a railway mail clerk employment in a post office at the same salary, without any mileage allowance, he would refuse. He regards his mileage allowance as an addition to his salary, and not merely as compensation to pay for his board. Let me give an instance. The other day a young man who is employed as railway mail clerk belonging to the district of Montreal, asked to be transferred to the Inspector's Branch where there was a vacancy. He was quite competent. As railway mail clerk he had reached a salary of $600, if I mistake not, plus his mileage allowance. He was transferred to the Inspector's Branch where there is no mileage allowance, and since then he has been writing the department to get his mileage allowance, and says he never expected to lose it. I replied that in the Inspector's Branch there is no mileage, but that if he would return to his former position as mail clerk, he would get that allowance. I do not know what I may do as he is an efficient clerk. I may decide to increase his pay after a while, but he is not entitled to any increase just now.

Mr. RUSSELL. In the case of a town where the postmaster receives from $1,300 to $1,500 per year, does he pay his own clerks out of that?

Mr. LEMIEUX. Yes.

Resolutions reported, read the second time, and agreed to.

Mr. FISHER moved for leave to introduce Bill (No. 205) to amend the Civil Service Act.

Motion agreed to, and Bill read the first time.

NAVIGABLE WATERS PROTECTION ACT.

House again in committee on Bill (No. 103) to amend the Navigable Waters Protection Act.—Mr. Pugsley.

Mr. PUGSLEY. Since this Bill was last before the committee, I have been endeavouring to see if I could not meet the suggestions thrown out by my hon. friend from Hamilton (Mr. Barker), and also my hon. friend from Halton (Mr. Henderson), and two or three other hon. gentlemen opposite. I am going to propose that there should be added to the first section this clause:

The foregoing provisions of this section shall not apply to small wharfs, not costing more than $1,000, groynes, or other bank or beach protection works, which do not interfere with navigation.

I think that will meet all the objections raised by hon. gentlemen opposite. If in practice it be found that there are still any objections to the Act, those can be met by amendment in the future. I am sure that the committee will realize that my only object is to keep control of the navigable waters in the public interest, and I would not authorize the chief engineer of my department to interfere with small wharfs or structures, such as my hon. friend from Halton referred to, unless they really and substantially interfered with navigation. The great object is to have a law under which people will recognize that if they are building substantial structures within navigable waters, they must first submit their plans to the department for approval.

Mr. G. TAYLOR. The hon. minister might add boat-houses.

Mr. PUGSLEY. I have no objection.

Mr. BARKER. I think that covers what my hon. friend from Halton spoke of, but I mentioned that in harbours there were occasionally rights of property where the title ran out into somewhat deep water and where a man might want to construct a wharf or elevator or something of that kind, and his building or structure would be actually in the water. I do not want to interfere at all with the passage of this Bill, the general object of which, I admit, is good. But what I ask is whether the hon. minister would see any objection to add the following as the last clause:

Nothing in this Act contained shall affect the right of any person to construct or maintain any structure upon his own property.

That is only to preserve the right of property, often very considerable property. Where a man owns a right in a harbour, he owns the soil out under the water some distance. It is his property the same as the dry land. That man ought to be at liberty to build so far as his title goes, and yet I am not sure but that under the first clause of the Bill he might not be prevented by the government from building even on his own property. I would suggest the consideration of those words; if the hon. gentleman objects to them, I won't press them.

Mr. CONMEE. I would like to call attention to the condition of affairs at Port Arthur and Fort William that might be affected by the motion which the hon. member for Hamilton proposes. The water lots there run out two or three thousand feet. The indentations of the bay are deeper in some portions of the harbour than in others, and therefore the lots are not all of equal distance from the shore line. Now, if the owner of those lots has the right to obstruct navigation on any of those lots the harbour would close up. I had occasion to look into the matter a little while ago, and I understand that the patents issued by the provincial authorities in later years all contain a reservation, they deed the property subject to the right of navigation, they are not to do anything on the property that would interfere with navigation. Formerly that precaution was not the practice. I understand that is the practice of the federal government, the department issues patents embodying the same reservation. Now, in case of most of the structures such as elevators and the larger wharfs, people are compelled to advertise in the papers their application to build, and frequently I have been called in by the board of trade or the city council, in both cities I may say, for the purpose of getting changes made in the proposed plan or location of these structures, in order that navigation may not be improperly interrupted. The amendment might work well in some places, but I would be a little afraid of it in these two cities.

Mr. PUGSLEY. I see an objection for the reasons which have been presented by my hon. friend (Mr. Conmee) and also for other reasons which may be applicable to other localities. I have in mind my own province of New Brunswick. I think upon all the rivers of the province the old grants above the flow of the tide carry the ownership to the middle of the river, even on large rivers like the St. John. Therefore, if the clause were put in which my hon. friend suggests, the effect would be to remove from the department control over the erection of structures upon the navigable waters of those rivers. Then in the case of the foreshores in harbours which are owned by the federal government under the British North America Act, if the suggestion were carried out and a party should obtain from the Department of Marine and Fisheries a lease or grant of the foreshore, he might then go on in defiance of the Public Works Department and erect any

kind of structure upon that property, because under the law, even if he had a lease from the Marine Department, that would be his property. Of course, if he had a quit claim, which is sometimes given, it would be absolutely his property. While I would be glad to meet, if possible, the view of my hon. friend, I am afraid it would make the Bill inoperative in many respects.

Mr. GEO. TAYLOR. At Gananoque, the Gananoque river empties into the St. Lawrence about a quarter of a mile below the lower dam in the Gananoque river, and the owners of lots on either side of the river own to the centre of the channel, by virtue of a grant from the government to the founder of the village. If the amendment of my hon. friend from Hamilton was adopted, it might have the effect of destroying the navigation on that river. All our warehouses and factories are situated on either side of it, and vessels land their coal on docks built upon it. Under that amendment some person might be able to build structures out into the water which would destroy every factory in the town.

Mr. BARKER. As I said, I will not press the objection if the minister doesn't wish to accept it. I know there are a great many cases where the property right is very valuable, but I would trust to the justice of the government to see that no mischief was done in such a case. With regard to other cases, such as Port Arthur, the patents provide that nothing should be done to restrict navigation. That is a common reservation in many of the patents, and this amount would not interfere with that at all.

Mr. JAMESON. I have no desire to obstruct the passage of this Bill; no doubt there are many cases in which it may be desirable to have the authority which, under this Act, it is proposed to give the Department of Public Works and the Governor in Council. At the same time, I wish to draw attention to one fact with respect to the conditions of harbours on the Bay of Fundy. The hon. minister knows very well that there is a tremendous rise and fall of the tide on that bay. I may tell him that so far as the province of Nova Scotia is concerned, there are a large number of settlements along the coast where grants of the foreshore or water lots have been made to the owners of the upland. Those grants extend out some hundreds of feet, but in many cases they do not extend out so far as the tide recedes. Consequently, at certain times these water lots, or the foreshore, are exposed. Now, in order to build a wharf on these foreshores, and some people do require facilities of that kind, they are compelled to expend more than a sum of $1,000. The sum of $1,000, as the minister knows, expended on a structure of that character on the shores of the Bay of Fundy, would be wasted, for the structure would not exist for a single year. Consequently, when he has placed the amount as low as $1,000, up to which it will be competent for persons to build a structure of that character without obtaining permission from the department, or without having the site of the structure approved by the Governor in Council, I must say that I think that will work a serious hardship to the owners of those foreshores. In the harbour at Digby, for instance, where the tide recedes many hundreds of feet, and beyond the point to which the foreshores are granted to the owners of the upland, wharfs are from time to time being built, costing from $3,000 to $6,000. Some improvements of that nature are contemplated there now, and this Act would interfere with them very seriously. I dare say that on rivers it is necessary that the Governor in Council should have that authority to determine on a site, but it would be a serious thing to have this clause 5 put into force, permitting the destruction of an unapproved wharf under the authority of the Governor in Council. If instead of $1,000 the limit could be made struction of an unapproved wharf in the open sea coast under the authority of the Governor in Council. If instead of $1,000 the limit could be made a higher amount it would be some advantage.

Mr. PUGSLEY. This being a general law applicable to all navigable waters, it would not do to make an amendment which might be supposed to meet the case of one river, but which might cause very serious public inconvenience in respect to other rivers. The $1,000 was fixed to meet the case of hundreds of small structures erected largely upon the inland waters in regard to which it would be a hardship to require the submission of plans. But in the case to which my hon. friend refers, there would be no serious inconvenience or hardship, because if a wharf of a substantial, permanent character is being built to cost upwards of $1,000 there certainly would not be much inconvenience or hardship in submitting plans for the approval of the Department of Public Works. It is impossible to conceive of a case where, if the proposed work would not seriously interfere with navigation, there would be any refusal to approve of it. My hon. friend will see that if we put the limit at $5,000 some one will say it should be six, or if we put it at six that we should put it at ten thousand. The main point to consider is whether the work is of a substantial and really valuable character.

Mr. HENDERSON. I would think the amendment proposed would largely meet the case to which I drew attention a short time ago. Where possibly two or three or

four groynes would have to be constructed, say by a county council, in a distance of 300 or 400 yards, would the value of $1,000 apply to each or would it refer to them altogether.

Mr. PUGSLEY. The $1,000 would not apply to a groyne of any kind.

Mr. BRISTOL. I see that this only refers to bridges, dams, booms, etc., that interference with navigation, navigable waters are not mentioned. If I understand the new provision, it refers to piers, docks or other structures not included in the old Act, and if any of these cost more than $1,000 the plans have to be approved. I was wondering why the minister put it in that way, because if the work did not interfere with navigation what would be the object of any man with a $2,000 wharf, say on his water lot in Muskoka, coming to the department?

Mr. PUGSLEY. Under the present law there is no authority which is to decide whether a work interferes with navigation or not, and the only way that could be decided would be to go to law. For instance, when a wharf is built without the plans being brought to the department, if the department wished to take action the course would be for the Minister of Justice to be instructed to file an information for a mandatory injunction to compel the removal of the wharf. Then the question would have to be tried, and it would have to be determined whether or not, as a matter of fact, the wharf really interfered with navigation. My hon. friend can see how, as time went on, navigation would be interfered with very seriously, and how much better it is to have some disinterested, competent authority in the first place to determine as to these plans. When the matter first came before the House I mentioned the case of a bridge which was erected in New Brunswick. As the hon. gentleman from the city of St. John knows the Fredericton bridge was erected when Mr. Blair was the premier of the province, and although the river is navigable for steamers running between St. John and Fredericton and Fredericton and Woodstock, he did not think it was any part of his duty to come to the federal authorities. He said: We are going to put a draw in, we are not going to interfere with navigation, and because we are not going to interfere with navigation we will not submit our plans to the federal authorities. I mention that case, because it almost caused a crisis in provincial affairs at the time, almost caused the resignation, or the dismissal, of the government, owing to certain action which was taken by the legislative council, and certain further action which was contemplated, I believe, by the governor of the day. It was a case in which the plans ought to have been submitted to the Department of Public Works, and the chief engineer ought to be the one to decide as to whether or not a structure of this kind in reality interferes with navigation. That is the whole object of the Act. It is to get a larger control over navigable waters.

Mr. DANIEL. I presume from the way this Act reads that it will necessitate an application to the Minister of Public Works whenever a wharf is built in any of the harbours as well as on any navigable stream?

Mr. PUGSLEY. Yes.

Mr. DANIEL. Take the St. John river, for instance, which the minister has referred to as a navigable river; no wharf of any size or kind can be built in that river after this Act passes until a plan thereof has been sent to the Minister of Public Works and has been approved by him.

Mr. PUGSLEY. Yes, but let me say to my hon. friend that to-day any structure of the kind is absolutely illegal, and any man coming along with a motor boat, or steamboat who finds a wharf in his way in a navigable water can apply for an injunction, and compel it to be removed or destroy it as being an obstruction or a public nuisance. As the hon. leader of the opposition said the other day this is really an enabling, and not a restrictive Act, and it gives authority to make that legal which to-day is absolutely illegal, because the law gives any person the right to travel on the public highway, which a navigable water is, without being obstructed by a wharf or any other structure placed there without lawful authority.

Mr. HENDERSON. Would the hon. Minister of Public Works let me read the amendment again?

> The aforegoing provision of this section shall not apply to small wharfs not costing more than $1,000 groynes or other bank or beach-protection works or boat houses which do not interfere with navigation.

I am satisfied with the clause as it reads. It refers to groynes, and other protection works just the same as it does to small wharfs. It might be made a little plainer by putting in the word 'or' after the word 'dollars,' but I do not think it is necessary in order to give it the meaning I should desire it to have. My hon. friend from Hamilton (Mr. Barker) suggests that word.

Mr. PUGSLEY. There is no objection to it.

Mr. HENDERSON. Will the minister permit me once more to draw his attention to the request that I made before, and which I trust he has not forgotten? I think it is a hardship to the county council of Halton, and the municipality of Burlington to be compelled to pay for those groynes or wharfs——

Mr. PUGSLEY. That is another question.

Mr. HENDERSON. It is another question.

Mr. PUGSLEY. Better discuss it on the estimates.

Mr. HENDERSON. I may not have an opportunity of repeating my request, and I do not want the minister to forget it. I am quite sure that if he asks his local engineer at Toronto to visit this erosion two and a half miles from Burlington he will get information which will warrant him in spending half of what is requisite to protect this shore and let the county council spend the other half. He has given me the assurance that the engineer will go to Burlington and examine the erosion there, and I trust he has not forgotten.

Mr. JAMESON. My hon. friend from Halton (Mr. Henderson) having got his 'or' in, I trust I may be permitted to say a word to the minister as to the figure he has fixed in regard to the value of a wharf that may be built without authority from the Governor in Council. I would like to ask the minister if he cannot see his way, in view of the fact that it would cost more than $1,000 to erect any structure at all on the Bay of Fundy shore, to raise the amount to $3,000. I do not think it is an excessive sum, and if this Act passes as it is, it will be a very serious encroachment on private rights. There is no question as to the interference of navigation in the instance to which I refer.

Mr. PUGSLEY. What does my hon. friend mean by interference with private rights? Does he not know that under the British North America Act the control of navigation is absolutely and exclusively vested in this parliament? Does not my hon. friend know as a lawyer that if I own the land simply between high and low water where the tide ebbs and flows, I have no power without express legislative authority to build a wharf there? The public may not try to destroy it, but does not my hon. friend know that any man would be entitled to go and destroy that wharf because it is an interference with navigation?

Mr. JAMESON. I am very much obliged to the minister for explaining what is no doubt the law, and which I think everybody understands. If we did not understand it before, I presume we do now. But, there has been an Act on the statute-book relating to this subject, and the minister apparently does not think it goes far enough. He proposes to go beyond what that Act prescribed and he is going to compel persons desiring to construct any wharf or structure of that character on their own lands, to apply to his department and obtain permission before proceeding with the work. But, he has gone a little farther than that. He says that in the case of a structure which is not going to cost more than $1,000, he is willing not to enforce the provisions of this new statute. Such works are excepted. I would ask him if he could not extend that and make the amount $3,000 instead of $1,000? He may not think that it is an encroachment on private rights, but if a man owns the foreshore and he cannot construct a wharf on it without obtaining permission from the department, I venture to say that if there is a petition sent in by some good friend of the minister's, that permission would not be immediately forthcoming. If a man cannot obtain permission I think it is an interference with private rights. It does not necessarily follow that he is going to interfere with navigation. I cannot imagine that any wharf that is going to be built for $3,000 on the coast will be an interference with navigation. On lakes and navigable streams a short or inexpensive wharf may prove an obstruction, but when it comes down to the salt water I do not think the same objection exists.

Mr. JOHN HAGGART. This does not give any person a right to erect a small wharf; it simply says that you need not go to the minister for permission, but your wharf if it is an obstruction is likely to be removed by anybody who likes. This clause does not give any permission; it simply says that one need not go to the minister to approve of the plans for such a wharf.

Mr. PUGSLEY. That is it; if you choose to do it, you do it at your own risk.

Mr. J. HAGGART. The minister would oblige us very much now if he would give us a definition of what 'navigable waters' are?

Mr. PUGSLEY. If I could do that I would be qualified for the highest judicial position in the country.

Mr. MEIGHEN. In my constituency there is a dam now in course of construction which has had the approval of the Governor in Council, but I do not know how far the approval went or whether the structure complies with all the conditions. Would this Act have any relation to that structure?

Mr. PUGSLEY. This Act would not apply in that case because the work has already been approved under the existing law.

Mr. ARTHURS. The amendment proposed by the minister meets a great many of the objections I urged against the Bill on a former occasion. But, in a great many cases sawmill men maintain booms round their mills which are to a certain extent in navigable water, the purpose of these being to retain the logs while they are being cut

up. It appears to me that the Act would prohibit this practice in future.

Mr. PUGSLEY. No, They can apply to the department submitting a plan of their proposed dam, and they can get approval. We have continual complaints from persons living along navigable waters as to the erection of booms, such as that mentioned by my hon. friend from Pembroke (Mr. G. White) the other day in reference to a dam constructed right in front of the village of Petawawa. Surely the department should have reasonable control over works of that kind just as well as over other structures placed in navigable waters. When they submit their plans, if it is found the work will not seriously interfere with navigation no chief engineer would refuse to recommend approval. We are doing that constantly in the case of boom companies.

Mr. ARTHURS. There are no doubt cases where a boom erected across a stream would be an obstruction, but this can be easily guarded against under the terms of the present law. What I am referring to is the case of booms which are constantly being changed, which do not necessarily interfere with the navigation of a stream or lake and of which no plans could be submitted to the department. It would be a great hardship if a man who wanted to erect a small boom around a mill had to send plans to Ottawa.

Mr. EMMERSON. The man who puts the boom there now is the judge as against the rights of all other people and often he constructs his boom in his own selfish interest as against the interests of the public. This Bill merely enables the department to protect the public interest and it does not infringe in any way upon private interests because if the public interests are not affected permission will be given. At present these things are done without authority and in violation of the law.

Mr. DANIEL. I understood the minister to say that this was an enabling Act, but section 4 prohibits bridges, booms, or dams being constructed in navigable waters so as to interfere with navigation. The Bill does not include these words at all, but merely refers to navigable water so that it enlarges the scope of the existing law.

Mr. PUGSLEY. Under the present law if a person should construct a work of that character without the permission of the department and if it interferes with navigation, any person who is obstructed on that part of the river can remove the obstruction or get an injunction in the court, and the man who erected it is liable to be indicted as creating a common nuisance. What I meant to say was that this Bill enables any one who desires to construct a work of this kind to get the approval of the department and then it is made legal.

Mr. BOYCE. Would this Bill compel those who are erecting dams on navigable water for the development of power, to come to the Department of Public Works every time they desire to put in a dam?

Mr. PUGSLEY. If it is in navigable waters, yes.

Mr. BOYCE. For instance, on the Winnipeg river, a lease may be granted by the Department of the Interior for the purpose of generating water-power, and that lease may grant explicit powers to the company in the furtherance of that development; would it be necessary under this Bill for the lessees to come to the Minister of Public Works and submit their plans for the development of that power?

Mr. PUGSLEY. Undoubtedly that would be so if the dam was to be constructed in navigable waters. But without this statute and without its terms being complied with, or without a compliance with the terms of the existing statute, no lessee could, under a license from the Minister of the Interior, construct a dam in a navigable water.

Mr. BOYCE. If it was an interference with navigation.

Mr. PUGSLEY. I judge that any dam in a navigable water would be an interference with navigation.

Mr. EMMERSON. In every Bill that comes before any committee, in which we grant powers of that kind, we provide that such works shall be subject to the approval of the department.

Mr. LOGGIE. Under the amendment, if a dock or wharf is to cost less than $1,000, will the person who constructs it still have to apply to the department? If he has not to apply to the department, is he protected, so that no person can interfere with that piece of property, as could be done under the present law?

Mr. PUGSLEY. If it is a wharf costing less than $1,000, the Public Works Department cannot interfere with it, and the owner need not come to the department for permission to build it; but if he does not, he builds the wharf at his own risk, just as he does under the present law.

Mr. JAMESON. Would the minister consider favourably an amendment which would make this $1,000 apply to navigable streams, and say $3,000 apply to coast waters?

Mr. PUGSLEY. I could not do that.

Mr. J. HAGGART. In floating logs down the river it is customary to put around them a boom in order to tow them through a lake or a long stretch of the river, or to

guide them to the entrance of a channel where there is a rapid. If a person who owned a small boat insisted on the right to pass through that boom or to remove it on the plea that the river was navigable, it seems to me that under this law he would have power to do so. Lumbermen have as much right to navigate these streams by towing logs down as any one else, and it is absolutely necessary that the boom should move along with the logs.

Mr. PUGSLEY. That is a movable boom, used to float logs and to keep them together, and I do not think that any minister would hold that the section applied to that.

Mr. J. HAGGART. I do not know what any minister would hold, but I want to know if that is the law as laid down by the minister?

Mr. PUGSLEY. The owner of the raft of logs is exercising his right to navigate the river.

Mr. J. HAGGART. At the entrance to rapids he may stretch the boom and use it for two or three days, and may obstruct a navigable river in doing so.

Mr. CONMEE. There is another side to that question. In some cases rivers are unnecessarily blocked, but any lumberman who is at all reasonable would so arrange his boom as to stretch a long chain towards the shore so that any small boat or steam launch could get through. People work out such problems without much difficulty under the existing law.

Amendment agreed to, and section as amended agreed to.

On section 5,

Mr. JAMESON. I wish to ask the minister if this Act relates to an extension of with the repair of an existing structure?

Mr. PUGSLEY. It would, of course, extend to a new part, but not to any existing work.

Mr. JAMESON. It would not interfere with the repair of an existing structure?

Mr. PUGSLEY. No.

Mr. J. HAGGART. Would it not interfere with repairs if the party did not get the consent of the minister? Would it not give the minister the power, if he thought proper, to remove it?

Mr. PUGSLEY. I would think not, unless it were extended out farther into the channel.

Mr. J. HAGGART. I thought the Bill was intended to give the minister jurisdiction over some works which are at present in existence and which are nuisances?

Mr. PUGSLEY. No, it is only for the future.

Bill reported with amendments, and amendments agreed to.

ESCHEATS TO THE CROWN.

Hon. A. B. AYLESWORTH (Minister of Justice) moved that the House go into committee to consider the following proposed resolution:

Resolved, that it is expedient to provide, in the case of escheats to the Crown, that out of any property so devolving the Governor in Council shall have power to make such grants as seem right;

(a) To any person having a legal or moral claim upon the previous owner or a just or natural right or claim to succeed to his property.

(b) To carry into effect any disposition of such property which the previous owners may appear to have intended.

(c) To reward any person making discovery of such property to the Crown.

Mr. J. HAGGART. What is the object of the resolution?

Mr. AYLESWORTH. We have no general Dominion statute at the present time authorizing the disposition of money which may be received in the form of an escheat. The word 'escheat', I might remind hon. gentlemen, primarily, perhaps literally, applies only to real estate. But using the word as including, not only real estate, but also personal property, which may devolve upon the Crown for want of any legal heir to a deceased person, we have at present in the consolidated funds of the country a sum of about $50,000 which has been realized and paid into the Receiver General as the proceeds of the sale of the estate of a man who died without having disposed of all his property by will. We have no authority to do anything with that money by any statute law. This possibly is the first occasion in which the necessity for some statutory provision on this subject has arisen since confederation because escheats, as every one knows, go to the provinces. This particular property, however, came from the territories before the new provinces were established there, and it may be that, in view of the provisions of the constitutional Acts of the provinces of Alberta and Saskatchewan, by which the Crown lands remain the property of the Dominion, all escheats from those provinces possibly might follow a like destination. But, however that may be, and without adverting to that question of the future, so far as the territories are concerned, they were not a province, and it is quite plain that any property there which was escheated to the Crown for lack of heirs would fall to the Dominion as being the only government to which it could go. Such a thing

may happen at any time in the Yukon or Northwest Territories. With regard to the future, therefore, as well as to the money in hand, what I am proposing is that by legislation the Governor in Council should be empowered to pay out of such moneys such sums as may seem right, first to any one who had a legal or moral claim on the previous owner or a just or natural claim to succeed to his property. There might, for instanace, be an illegitimate child or other relations of a character which would seem to make it right to dispose of some part of the property, at any rate, in that way. To do so at present there is no authority whatever. The second proposition is that the Crown might be empowered to carry into effect any disposition of such property which the previous owner might appear to have intended. He may have made a will, but have defectively executed it, or there might be other circumstances indicating a certain intention. Finally it is proposed to reward any person making a discovery of such property to the Crown. These provisions are analogous to provisions in like circumstances of provincial legislation. The necessity for them is now shown, and it is desired there should be a general statute applicable to all people and cases of a like character. When mention was made of the intention to put this notice on the order paper, the hon. member for St. James, Montreal (Mr. Gervais), took exception, fearing that the proposition might be regarded as an attempt to encroach upon the undoubted rights of the provinces in this regard. I have since had the benefit of a conversation with my hon. friend, and I think he is quite satisfied that at any rate I do not entertain any such intention; but any possibility of danger in that respect can be readily safeguarded by the wording of the Bill when introduced, so as to limit it distinctly to what I intend, namely, the devolution of property by escheat upon the Crown in right of the Dominion and the Dominion only.

Mr. J. HAGGART. I think that is a power which the Crown in the Dominion ought to have. If there are any escheats to it, it has as much right to make a disposition of such escheats at any province. But, what I rose particularly to ask is whether the hon. minister has in view any particular estate, because in my section of the country there is the estate of a party who died out in Alberta, and in which it was impossible for the Minister of Justice to act upon the principles that are carried out in the different provinces. I refer to the estate of Mr. Montgomery who died up there.

Mr. AYLESWORTH. That is the very estate I have in mind.

Mr. SPROULE. I have always thought the law should go further and provide for taking over all sums lying in banks, for which there is no claimant. Money is frequently deposited in banks and the owner dies, there are no heirs, and the money is not disposed of but remains in the bank. We passed a law years ago which provided that year by year the unclaimed balances in banks should be published, but did not make any provision for disposition of the money for which there were no claimants. I have always thought that such money should revert to the Crown. I have never seen good reason why any individual should retain it. This Bill should go further and give the Crown possession of property of that character just the same as a portion or the whole of an unclaimed estate.

Mr. MURPHY. The suggestion made by the hon. gentleman is one which would more properly apply to the Bank Act than to the resolutions now introduced.

Mr. SPROULE. I do not see any reason why, when we are dealing with the subject of escheats, we should not cover the whole ground. Of course, we could make such a provision in the Banking Act, but we could do so just as well in the Bill about to be introduced.

Motion agreed to, and House went into committee on the resolution, which was reported, read the second time, and agreed to.

Mr. AYLESWORTH moved for leave to introduce Bill (No. 206) respecting Escheats.

Motion agreed to, and Bill read the first time.

SUPERIOR COURT JUDGES IN THE PROVINCE OF QUEBEC.

House went into committee to consider the following proposed resolution:

Resolved, that, in the opinion of this House, it is expedient to provide for the payment to four additional judges of the Superior Court in the province of Quebec, each $7,000 per annum, and to one additional judge of the Court of King's Bench in the province of Manitoba $6,000 per annum.

Mr. AYLESWORTH. This resolution is introduced to satisfy the demands which, so far as the province of Quebec is concerned, have been very strongly pressed for now as long as three years. In the session of the provincial legislature of Quebec for 1907, a provision was made for creating three additional judgeships at Montreal and one at the city of Quebec, in the Superior Court of the province. That legisla-

tion duly passed by the provincial legislature three years ago, has never yet been supplemented by the necessary legislation of this parliament to provide the salaries. I am free to admit that the delay in that regard has been felt as more or less of a grievance by the province of Quebec. It will be in mind that early in this session the hon. member for Jacques Cartier (Mr. Monk) placed a notice of motion on the subject before the House, which was debated to some extent, and which appears now upon the order paper among the Public Bills and Orders, the debate not having been concluded. I said in the discussion of that resolution that the explanation of our delay in taking action which the hon. member for Jacques Cartier thought was rather reprehensible, was the hope which we had entertained that it might be possible by some reorganization of the judicial system of the province of Quebec, or by some better utilization of the present judges in that province, to avoid the necessity for increasing the number of judges. That hope on my part has, I am sorry to say, turned out one impossible of realization. I cannot pretend to sit in judgment upon the action of the Attorney General, and of the provincial legislature of Quebec in calling for these additonal judges as a necessity, yet I cannot lose sight of the fact that to provide an annual salary for all time of $7,000 is tantamount to increasing the fixed charges upon the Canadian revenue to the extent of about $200,000. Every additional Superior Court judge just means that increased expenditure to the Dominion. Yet where the needs of the public require this additional expenditure, the Attorney General of the province is the appropriate and best judge of the necessity which the provincial legislation demonstrates by its enactment. In the case of the four judges which are asked for from the province of Quebec I cannot doubt that the necessity really exists.

Then with regard to Manitoba, the amount of the salary, to begin with, is not quite so large, it is only $6,000. But the legislature of that province, during the session before the recent one, I think not more than fourteen months ago, determined that their needs required the addition of one judge to the number of judges of their Court of King's Bench. Recognizing, as I have said, the fact that the administration of justice in the province is in charge of the Attorney General and authorities of the province, and that they are the people best in position to know of this necessity, we have proposed by the resolution under consideration to meet the demands of the province of Manitoba in this respect as well.

Mr. J. HAGGART. I am sorry to say that I cannot concur in the views just expressed by the Minister of Justice, for the reason that as we pay the money we have a right to see that we receive service for it. It is true that the administration of justice comes within the jurisdiction of the provincial authorities, but the payment of the judges lies in our authority. The payment of judges constitutes a great responsibility, and we have a right to be assured that there is an absolute necessity for it. The minister says that he was trying to make arrangements by a readjustment of the duties of the existing judges which would obviate the necessity of appointing four new ones, Now, we have a right to hear what difficulties he met with in trying to make an arrangement of that kind. I may be wrong, but from what I hear it is not so much new judges that is required in the province of Quebec, as a readjustment of the duties of the judges they have there now. I wish to protest against the assumption of the Minister of Justice that because he has received a requisition from the provincial authorities asking for the salaries of four new judges, that he is therefore bound to accede to that request, until he has assured himself that it is not possible by a rearrangement of the judicial system in that province to meet all the requirements. I am aware that the position taken by the Minister of Justice is that which has been taken by all preceding governments. They do not like to take the responsibility, which they ought to assume, of seeing that there is an absolute necessity for the appointment of more judges, and that no readjustment can be made which would obviate that necessity. The minister tells us that the salary of a new Superior Court judge is tantamount to an increase of $200,000 upon the fixed charges upon Canadian revenue.

Mr. AYLESWORTH. I can assure my hon. friend that in this matter, as I think the dates demonstrate, I have held out to the second bell. I have done my best, and I have been, I must admit, convinced by the investigations I have made that it is not practicable to do what I had hoped. My idea, I may state frankly, was that by some doubling up, so to speak, of judicial work in the province of Quebec, Superior Court judges of the rural parts of the province might be made available to assist in the city work. Of course that is a matter entirely under the control of the provincial legislature, which has charge of the constitution and maintenance of the courts. One can readily understand that the practitioners and also the litigants in any particular district would not be willing to see their judge removed altogether from their own locality. I am assured that the plan which I had thought of is already practically in force, and that the judges for the whole of the territory surrounding Mont-

real as well as for the counties in the vicinity of Quebec, are to-day devoting all the time they can spare from their local duties to the work of assisting in the litigation of the cities. In that situation, there being unduly great congestion of work in Montreal particularly, I have felt that I could not properly oppose myself any longer to the views of the Provincial Attorney General and of the provinical government. I have no doubt that hon. gentlemen of the legal profession in this House, coming from the province of Quebec, would bear out what I have said in that regard, and I am quite sure the hon. member for St, Anne's division (Mr. Doherty) would have personal knowledge of the situation in that city.

Hon. RODOLPHE LEMIEUX. As regards a new arrangement which could be made in the province of Quebec resembling somewhat the one existing in Ontario, which province I believe has an advantage in this respect, my hon. friend is probably aware that some years ago the Hon. Mr. Thomas Chase Casgrain, formerly a member of this House and one of the leaders of the Bar, while Attorney General in the Taillon administration, proposed as a radical reform that the province of Quebec should adopt the same system as exists in Ontario, that is to say, you would have district magistrates having jurisdiction in criminal and civil matters up to a certain amount, and the judges of the Superior Court, properly speaking, having residence in Montreal or Quebec, as in Ontario they have their residence in Toronto, and proceeding to the administration of justice by a rotative system, by circuits. Mr. Casgrain was ahead of his time apparently, because although he then commanded quite a large majority in the legislature, although this was not a party question, he had to withdraw his measure after having explained it to the House and submitted it to the Bar. It is a most difficult question and I understand the difficulty experienced by the Minister of Justice when he compares the situation in Quebec with that in other provinces and comes to make new appointments. But we have in Quebec a system which existed long previous to confederation whereby certain districts have been assigned to judges and these judges have been retained in those districts and the districts will not stand the removal of these judges outside of the shire town. As a matter of fact, the new judges who are being provided for in this resolution for the city of Montreal and the city of Quebec are needed. I have not practised in Montreal for the last eight years, but I am quite sure the hon. member for St. Anne (Mr. Doherty) who has presided as a judge in the Montreal district for several years, much to the credit of the profession and of the judiciary, will agree with me that the three new judges in Montreal are badly needed. The population of Montreal has increased remarkably during the last ten years. It has now reached the high water mark of nearly half a million and the seventeen judges who are there have to look after the administration of justice not only in Montreal but in Hochelaga, Maisonneuve, Verchères, Chambly, Jacques Cartier and Laval. The litigants are obliged to wait, not for days, weeks or months, but for years before their cases are heard before the Superior Court. The witnesses come to the court house, and if the judges are engaged on a case that takes some time, they become uneasy and return home, and when at last the case is called on the roll the litigants cannot proceed in view of the absence of the witnesses. The Bar of Montreal, through the Chief Justice of Montreal, Sir Melbourne Tait, have made several representations to the government. Last year the Chief Justice and two of the judges who for years have been sitting in the court, Mr. Justice Mathieu and the hon. member for St. Anne's (Mr. Doherty) joined in the request for an increase in the number of judges. It is not a party affair, it is a question of business. The merchants of Montreal are simply discouraged when they have to bring a case before the court. The Attorney General of the province of Quebec, Sir Lomer Gouin, brought this question before the House several years ago, and the legislature of Quebec decided by a statute passed at that time to create three new judges for Montreal and one new judge for Quebec. There is as much need for an additional judge in Quebec as there is for three additional judges in Montreal. The appointment of new judges in both districts should meet with the favour of this parliament. The city of Montreal is becoming a national port. That brings business to the court house and makes necessaray this legislation.

Mr. J. HAGGART. I did not clearly understand from the minister why the provincial authorities could not rearrange the divisions, and duties of the judges so that the present judges might do.

Mr. LEMIEUX. These representations have been made to the Attorney General of Quebec. The Attorney General is quite open to conviction. He admits with the Minister of Justice that judicial centralization must soon take place, but we must educate public opinion first, and that takes a little time. He has agreed with the Minister of Justice that in future no new districts shall be created, and no additional appointments shall be asked from the Dominion government unless a friendly

conference takes place with the Dominion authorities. It is so arranged under our constitution that the creation of judges is part of the duties of the provincial legislatures whilst the payment of these judges is our lot. We cannot evade that obligation.

Mr. J. HAGGART. I think the payment is the greatest power, refuse to pay unless you do so and so.

Mr. LEMIEUX. To sing the song of Kipling we must—pay, pay, pay. That is what is being done in the present instance.

Mr. DOHERTY. I think that at all events I can speak with respect to the district of Montreal, and in my view there is an absolute necessity for an increase in the number of judges in that district. If there were room for criticism—and I do not propose to say that there is—I would be inclined to think that it is rather in connection with the delay in making this provision than in the actual making of it, because the facts set forth by the hon. Postmaster General are certainly not at all exaggerated. There is an absolute need in the district of Montreal for an increase in the number of judges, and that need has existed now for some time, in fact, there is a condition there that amounts very nearly to what might be properly described as almost a denial of justice. While all this is quite true as the result of a condition which should be a subject of amelioration, not perhaps by the direct action of this government or this House, I cannot sympathize with the suggestion that the position should be taken in this particular instance, at all events, that this government or this House should refuse to pay because it is in accordance with the system as we have it. But I do think that there is a serious responsibility upon the provincial government for maintaining, or refraining from endeavouring to remedy the condition which does make so large a number of judges necessary for the province. I am not unaware that there will be difficulties to be encountered by that government in remedying that state of affairs, but I think it is possible that there may be a great deal to be said in favour of the contention that a more strenuous effort might have been made in the past, and I think it is to be hoped that a more strenuous effort will be made in the future to readjust the system, and to make it possible for the work to be done in that province without a further increase in the number of judges. I think too that something might be done in regard to the manner in which the business is handled apart from the readjustment of the districts themselves. I am glad to see that at the present session of the legislature of Quebec there has been introduced legislation, which, if the reports I have seen are correct, would seem to tend in the direction of amelioration the situation in that regard. But whatever may be said about the condition that exists in that province, it is a condition which does exist and unless further provision is made to meet the absolute wants of the administration of justice in the district of Montreal, at all events, you will have a state of affairs where people are practically, so great are the delays, refused justice. I am quite prepared to approve of the proposition which is now made. I approve of the motive which has led the Minister of Justice to act with some hesitation in the matter, and I am not disposed to criticise the proposition, but if there were room for criticism it seems that it must be rather of the delay in taking action than of the action itself. I think that the provision which is being made is an indispensable one and an absolute necessity.

Mr. BOYCE. What has been said with regard to the necessity for additional judges in the province of Quebec is equally true with regard to the necessity for additional judges in Ontario. I understand that there has been a very great congestion of business existing through the lack of judges. So great has it been that it has been brought to the attention of the Ontario legislature, and some legislation was passed at the last session providing for the appointment by this government of additional judges for the high court bench of Ontario. It is known, I think, to the Minister of Justice, that there is a very great congestion of judicial business in Ontario necessitating the appointment of additional judges, and I should like the Minister of Justice to state whether or not he has received notice of such legislation as was passed respecting the appointment of such judges, and whether he would not accede to the prayer for the appointment of such judges so that there will not be a delay of a year before these judges can be appointed, and so that the congestion which exists in consequence of their non-appointment may be relieved.

Mr. AYLESWORTH. Mr. Chairman, with regard to the province of Ontario, I cannot pretend to speak to-day with the authority which I think I might properly have asked any one to repose in what I said on such a subject as this a few years ago. I certainly, when I ceased active practice in the courts of Ontario, did not think there was any necessity for increasing the number of our Superior Court judges in the province. Only a few years ago the number of high court judges in Ontario was increased by three on the establishment of the exchequer division of the high court. I do not recall in what year the judges of that division were appointed, but it is within the knowledge of every one that there was no chief justice of that division

until 1905. That is not yet five years gone by, so that in the province of Ontario we had, only a few years ago, the whole of the work of the high court done by the twelve judges of the three divisions of that court. Subsequently their number was increased from 12 to 15, and in these circumstances one would have thought it was doubtful if so soon there was urgent need of adding to the number. It has additionally to be borne in mind that at a comparative recent session of the legislature the jurisdiction of the county courts in Ontario was very greatly increased. I am not sure of the extent to which the utmost jurisdiction of the county court in civil cases goes at the present time, but I think it is not less than $1,000. The effect of that legislation necessarily must be greatly to reduce the work of the superior courts. Every practising lawyer knows how large a proportion of the actual litigation of the Superior Courts always was in respect to sums of less than $1,000. I am persuaded that there cannot, therefore, be as great an amount of work to be done by the Superior Court judges in Ontario as there was prior to that considerable increase in the jurisdiction in the county courts of the province. But, while these things are so, I saw in the newspapers a few months ago that the judges of the Superior Court had made representations to the Attorney General of the province that additional judges were needed, and if the newspaper statement be correct, three at least were asked for. I had the advantage, two or three months ago, of a personal discussion of the subject with the Attorney General of the province, and he told me that he intended introducing legislation during the session of the legislature which has recently ended to deal with this subject. Since then he has written to me on two or three occasions, and he sent me a copy of the Bill which he intended to introduce, providing, as he stated in his letter, for two additional judges. Except in that informal way, and by a letter from the Prime Minister of the province on the subject, I have no knowledge of what has been done by the provincial legislature in this regard. I might say that I have not had any copy of the Bill as it finally passed, but I understand that it was for the creation of two additional judgeships. That is what the Attorney General said to me was his intention. I have not had, nor has there come to the government in any way, any formal application in the matter or any formal notice of the passage of this Act. In the circumstances, and I must admit that relying very considerably upon my own personal judgment in the matter, I have thought that legislation by this parliament, so far as as the province of Ontario is concerned, might well wait for another 12 months without any interest really being hurt. Unfortunately, judicial work in the province at the present time is labouring under the disadvantage of the absence on account of illness of the senior puisne judge of the high court, Mr. Justice MacMahon. I have no doubt that his inability to do his share of the work has increased the amount of work which necessarily would fall upon the shoulders of his brother judges. But I am sanguine to think that there are no arrears of work before the Superior Courts of the province at the present time that the existing force of judges is not able to cope with for at least another 12 months, and that the public interest in the province will not suffer at all if action on our part is left until another year.

Mr. J. A. CURRIE. I would urge strongly that the minister consider, although it is late in the session, the question of increasing the number of judges in Ontario. I happen to know that the judges are overcrowded with work and that judgments are delayed a long time because the judges cannot catch up with the arrears. I might also suggest to the minister that in the large centres of population in the provinces of Ontario, especially in Toronto, the cost of living has increased—some say 60 per cent at least—and the salary of a high court judge does not go nearly as far as it formerly did. Another consideration is that remuneration from court practice to the better class of lawyers has increased to such an extent that a practitioner of the first class will hardly consider a judgeship, because while he might consider it a great honour it would be a great sacrifice for him to go on the bench. These are questions that parliament will have to grapple with in course of time. Litigation is increasing all the time, and many of the judges have reached that age when they are not so young and vigorous as they used to be. It is a great imposition on them to have to grind in the courts day after day and work harder for less money than would be their reward in private practice. It is only fair that if the judges do good work they should be paid good wages. A good lawyer in the city of Toronto can make $25,000 a year, and any one of these judges if he were in practice would be earning that money.

An hon. MEMBER. Not only in Toronto.

Mr. J. A. CURRIE. Not only in Toronto, but I understand that in the Supreme Court it is a hardship on these men. I know that the Minister of Justice has cognizance of this matter and that he will deal with it. I fully concur in the proposal to increase the number of judges.

Mr. SPROULE. A few years ago we increased the salaries of the judges to what

I thought was a very considerable extent. I have always regarded it as unfair to make a comparison between what is paid to a judge and what eminent lawyers get because of their legal ability. There is no class in the community which gets as many of the plums of life as the legal profession. As solicitors for railway corporations, banking corporations, loan companies and industrial concerns, they are paid great salaries on account of their knowledge of law, enabling them to give their principals information as to how they can evade the law and extract very large and onerous returns from the people. It is said that we ought to pay higher salaries to make these men judges because they can earn more in the profession. I think that is radically wrong. There is no profession in the country that earns half the salaries which they do, and yet I am bound to believe that many men in professional life are as intelligent, as brainy, as industrious and as faithful as lawyers are. But they do not get the returns—why? Because they are not able to tell their principals how they may evade the law. That to my mind is no proper argument why you should increase the salaries of the judges. I believe that 90 per cent of the people of the country agree with what I say, that in proportion to their ability the legal profession of this country get more positions to which large emoluments are attached than any other class of men in the community; and it is almost adding insult to injury to put that forward as a reason why the salaries of the judges of this country should be increased.

Resolution reported, read the second time, and agreed to.

Mr. AYLESWORTH moved for leave to introduce Bill (No. 207) to amend the Judges Act.

Motion agreed to, and Bill read the first time.

CRUDE PETROLEUM BOUNTY.

House went into committee to consider the following proposed resolution:

Resolved, that it is expedient to provide that the bounty of one and one-half cent per imperial gallon payable on crude petroleum from Canadian wells, or from shales or other substances mined in Canada, authorized by chapter 52 of the statutes of 1908, may be paid to the owner or occupier of the soil through which it is mined or won, or to such other person interested or injuriously affected by the mining operations or works, as the Governor in Council may approve.—Mr. Graham.

Mr. GRAHAM. The meaning of this is simply this. The Dominion government gives a bounty of 1½ cents per imperial gallon on all crude petroleum to the producer thereof. A corporation known as the Canada Company obtained patents to a very large portion of the territory in western Ontario now operated as oil fields. Up to 1872 there was nothing in the leases which the Canadian Company gave to the farmers reserving to the company the mineral rights. After 1872 the company, in its deeds to the farmers, reserved those rights. The result of that is that a man owning a farm in Essex or Kent, where the oil wells have been sunk or where it is proposed to sink oil wells, is very much handicapped. Cases have been brought to my notice where a man's entire crop would be practically spoiled by people to whom the Canada Company had leased the right to sink wells. They go over a man's property, tramp down his crop, knock down his fences, offer a mall pittance for the damage, and tell him to go to court. No matter what reservations are made as to the mineral rights, this is manifestly unfair to the man who is tilling the soil. This matter came up in the Ontario legislature a few years ago, when I was a member of that House, and was discussed thoroughly. The hon. gentleman who is now Provincial Secretary, has stated that on a farm valued at $5,000, the actions of the lessees of the mineral rights would do damage to the extent of possibly fifty per cent of that value. A case was brought to my attention the other day in which it was said that the lessees went on a man's property and asked him if he proposed to farm that this year. He said certainly he did. 'Then,' they said, 'you had better move to another farm, because we are going to fill this one with holes.' Any action we take will not interfere in any way with the contracts between the Canadian Land Company and the farmers; but parliament has seen fit, in its wisdom, to present a bounty to the producers of crude petroleum, and what we propose to do in this Act is to give the Minister of Trade and Commerce the right to apportion that bounty between the producer of the crude petroleum and the farmer whose land is damaged by the work of developing these oil wells. The injury done to the farm lands is part of the expense incurred in the development of the crude petroleum industry, and we think that on that ground we have every right to protect the farmers whose lands are thus injured. If it has the effect of making the lessees more careful so that he will avoid any unnecessary damage, the farmer would be thoroughly satisfied, but if the lessee should inflict a certain amount of damages, the Minister of Trade and Commerce will have the power to apportion the amount of the bounty given in such a way that the farmer will be protected to a certain extent. With that explanation I wish to point out that the amendment provides for the insertion in the Bill of certain

words, which will make the Act read as follows:

The Governor in Council may authorize the payment out of the consolidated revenue fund of a bounty of one and one-half cent per imperial gallon on all crude petroleum, having a specific gravity, not less than ·8235 at 60 degrees by Fahrenheit thermometer produced from wells in Canada or from shales or other substances mined in Canada on and after the day on which this Act comes into force—the said bounty to be paid to the producer of the petroleum or to the owner or occupier of the soil through which it is mined or won, or to such other person interested as the Governor in Council by regulation approves.

Mr. J. HAGGART. That is to be done by regulation.

Mr. GRAHAM. Yes.

Mr. J. HAGGART. What form will your regulations take, because the principal objection to this resolution is that it will be entirely optional on the government to act on it or not. There would be no objection to some mechanical way by which the party injured would be entitled legally to compensation, but this is left to regulation at the option of the government.

Mr. GRAHAM. We are not making any change in the old Act in that respect. As the Act stands, the Minister of Trade and Commerce, recommends certain regulations which have to be approved by the Governor in Council. By these regulations, he may apportion a part of the bounty to the farmers:

The Minister of Trade and Commerce shall be charged with the administration of this Act, and may, subject to the approval of the Governor in Council, make such regulations as he deems necessary respecting the payment of the said bounties.

Mr. J. HAGGART. The hon. minister does not appreciate the point I make. Your regulations are for the purpose of applying to the lessee alone the one and a half cent per gallon, and you intend to take that from him and give it to the owner of the land which you say is damaged. In what form are the regulations by which that apportionment is to be made?

Mr. GRAHAM. I see the point my hon. friend makes. I tried to work out a mechanical way by which the thing could be done. The Minister of Trade and Commerce tried to work that out, but we found it impossible to make it mechanical in the statute because the conditions are so varied. The object of the Bill is to protect the farmers against damages as well as give them compensation, and we found it impossible to devise a clause that would operate mechanically, and apply to all the conditions that might arise.

Mr. GRAHAM.

Mr. J. HAGGART. But if you do not have your clause mechanical, do you not see the danger that might arise?

Mr. GRAHAM. I appreciate the situation, and we discussed that point thoroughly, but came back to the conclusion that this is the only practical way in which we could work the thing out. Otherwise there might be some deserving cases which would not come within a mechanical clause. Take where the mineral rights have not been retained by a company, the farmer gets by arrangement one-eighth of the oil, and the bounty. That would amount practically to $2 per barrel. I started on that basis, but found it would hardly do because these men, to whom we are paying the bounty, do not own the minerals as do the other men. I tried another basis, and came back to the conclusion that the only practical way was the one we have adopted.

Mr. J. HAGGART. There is another question. The lessee has acquired by lease the right to this one and a half cent per gallon, he has the right to the distribution, the same as any other lessee, or owner of land throughout the country. You deprive him of his inherent right by giving the money to another person. What right have you to do that?

Mr. GRAHAM. The lessee has no inherent right. We are making him a present of one and a half cent per gallon; it is our bounty, and we can cease that whenever we like.

Mr. SPROULE. Suppose he has a lease and has that provision.

Mr. GRAHAM. He has a provision entitling him to whatever bounty the government gives.

Mr. SPROULE. The government have passed a law agreeing to give a bounty. In that lease it is provided that the bounty payable by the government will go to the lessee.

Mr. GRAHAM. We can do as we like with the distribution of our own money.

Mr. BLAIN. Not by order in council.

Mr. GRAHAM. I am getting an Act. He can provide in his lease that the bounty which the government says shall go to the producer, shall go to this man; but if parliament says that the government has the right to reduce the amount payable to the producer and give a portion of it to some one else, the government can act on that authority.

Mr. J. HAGGART. Why deal differently in the case of a lessee who gets his land from a farmer, and the one who gets it from the Canada Company?

Mr. GRAHAM. The Act will give the Trade and Commerce Department the power as set forth in these words:

The said bounty to be paid to the producer of the petroleum or the owner or occupier of the soil through which it is mined or won, or to such other person interested as the Governor in Council by regulation approves.

If he is injuriously affected under this Act, he will get a portion of the bounty.

Mr. J. A. CURRIE. Those leases are generally taken by oil well drillers. They lease a certain territory. In the lease it is provided that a certain proportion of the oil shall go to the owner of the land. Unfortunately in those leases in question, the mineral rights were retained by the Canada Company. The parties who purchased from the Canada Company are supposed to have known, under the ordinary rules of civil contract, that these minerals were reserved. How will it be possible to work out a proposition of the kind submitted to us? Here is John Smith who has 100 acres which he bought from the Canada Company, and which did not give him any mineral rights; and here is Thomas Jones, his neighbour, who purchased his land with the mineral rights. Why should Smith be in receipt of any bounty from the government more than Jones? Because the second owner was the owner of the land, he was also the owner of the mineral rights. In the case of the Canada Company's lands the owner of the surface was not the owner of the mineral rights. Now in what position is the man who holds the mineral rights? How does he differ in respect of his lease from the Canada Company? Why should not the money, instead of going to the lessee of this land, go to the owner of the mineral rights in all cases, irrespective of any leases, or surface rights? But you are making exception. You make an exception in this case that the owner of the surface rights shall get the bounty. Is not that the case? The owner of the surface rights, according to the minister, is to receive this bounty if that land was purchased from the Canada Company originally; but if the land was not purchased from the Canada Company, if it was purchased from somebody else, the owner of the surface does not get that bounty at all, it goes to the oil lease. The Bill is also wide, because it says that if any damage can be shown, the man who suffers the damage can get the bounty instead of the man who has the lease. Another question was raised with regard to present leases. This law will be to a large extent retroactive. A man has leased land from the Canada Company, and he has contracted with the Canada Company to give them, we will say, one barrel out of every eight on the understanding that any government bounty shall go to him. Now he goes to work and finds himself cut out from that bounty if he does not get the bounty he would only give one barrel in ten, possibly, for the lease. Now this Bill is legislating these men out of their civil rights, and I do not think it comes within the purview of this House to do so. It is quite true that you will give to one man a bounty, and not to another man, and I do not think that is fair legislation. I know there is a grievance, but if a man's land is damaged I think he has relief in the courts, and can get damages. In the province of Ontario, if you are the owner of the surface rights, and a mine is discovered, the person who has discovered that mine has a perfect right to mine it. If he goes on that land and destroys your property he has to pay for it. The province of Ontario will see that justice is done in that respect.

But I can see a little further in this legislation I can see possibly a little nigger moving in the wood pile. Possibly in cases where some damage is done the minister will see that some good Liberal friend will get this bounty instead of a Conservative. I have an idea that something like that is drifting in the background. I know that the chairman of the patronage committee in that riding, if he has any land that he bought from the Canada Company, he would be getting the bounty instead of the man who is the actual producer, the man who has gone to the expense of exploiting and developing this land. Everybody knows that this business is really a wildcat business. It is worse than horse-racing. A man puts his money into a piece of land. Another man may come along and find a good well across the fence that shoots a thousand barrels a day, and fifty yards away from that he may sink 4 or 5 wells, and not get a gallon out of any one of them. I think this Bill is quite too far reaching, and this House should have nothing to do with it. I cannot see how it can be worked out. The minister says he has had difficulty himself, I can quite apprehend it. Another thing, will this Bill affect cases that are now before the courts? The Ontario government has stepped in to see that justice is done. Then again, what about the purchasers? Hundreds of purchasers have leased this land, and this government takes away from them the right to that bounty and hands it over to the men who own the surface rights, and who have not spent a dollar on it. I think this is a very serious question.

Mr. McCOIG. I am somewhat surprised that the hon. member for North Simcoe

(Mr. Currie) takes such a pronounced stand against the agriculturists of this province.

Mr. J. A. CURRIE. I beg your pardon, I do not.

Mr. McCOIG. I am very much surprised that he takes the stand he does, because there is no question that the Bill which the minister has introduced will be of great benefit to the people of the western part of Ontario, who are unfortunate enough to own Canada Company land. The hon. gentleman says that the provincial government are looking after their cases. I may remind him that the attention of the provincial government was drawn to the predicament the farmers have been in for some two or three years.

Mr. J. A. CURRIE. Is not that doing them justice?

Mr. McCOIG. I should say not. The attorney general of the province of Ontario pledged the honour of the House that he would make a test case and enter it in the courts; that was over two or three years ago, and he has only just now started to do so. Do you think that is doing justice by the farmers of the province? I do not think my hon. friend is acquainted with the facts, or he would not make such a statement as that. If the provincial governments are doing the farmers any good, if they grant them relief as I hope they will, we will give them credit for it; but they are certainly very slow in taking action. The people who are suffering at the present time on account of owning Canada Company lots, feel the same way that I do myself about it. As for the Bill now before the House, I think that members opposite should join us in assisting to get it through instead of trying to obstruct it.

Some hon. MEMBERS. Order.

Mr. McCOIG. Well, I hope the hon. gentlemen will assist us.

Mr. HENDERSON. The hon. gentleman has no right to use the word 'obstruct.'

Mr. McCOIG. Well, I will say 'oppose,' if that pleases the hon gentleman better. In the section which I have the honour to represent, there are a large number of farmers who are sufferers from being in the unfortunate position of owning Canada Company lands, and they are to-day being held off their farms in some cases by American operators coming on their lands and drilling for oil, and they have little to say as to where these operators shall drill, and practically they have to do about as the operators say. There have been cases where the farmers have had to leave their farms.

Mr. SPROULE. Is this land where they have the right to go on and explore for oil leased from the Canada Company or from the land owner?

Mr. McCOIG. It is leased from the Canada Company. The Canada Company gives the leases to these operators, the operators go on to the farmer's land and go ahead and operate for oil. In case after case the farmer has asked the operator to show him the lease, and they inform me that they have never yet been able to see the lease given by the Canada Company to the operator. The Canada Company does not operate itself, it always gives the right to a second or third party, and these leases are handed along from one concern to another.

Mr. SPROULE. It is the custom in our country that when a man buys a Canada Company lot, it is practically under lease, but he has the sole right to occupy, to own, and to use that lot. I would not think that the Canada Company, in addition to that, would give the lease to another person to go on and buy a portion of that lot during the time the first lease or provisional lease was in operation.

Mr. McCOIG. I agree with what the hon. gentleman says, that they should not be able to do it, but they do it nevertheless. The Canada Company on no occasion has operated for oil in any section of the counties of Kent or Essex, but they give the right to second or third parties to whom these leases are resold. I shall give one instance. A gentleman named Stevenson, in Tilbury, owned a Canada Company lot. An oil operator came to that man's farm and asked if he was going to farm the land that year. Mr. Stevenson said he was and the man said: If you intend to farm you will have to get some other land, because we are going to punch this land full of holes. He had cleared the farm, paid the taxes, done all the improvements and built up a good home for himself, when the time came when the Canada Company thought they could get something for the lease they turned it over to an operator and he proceeded to drill it. Farmers have had to sit up at night to protect their crops from the operators and having wells put down so as to ruin the crops about the time of harvest.

Mr. J. HAGGART. Can the lessee of mineral rights do this without indemnity to the other owner of the soil?

Mr. McCOIG. They do it.

Mr. J. HAGGART. Does your lease permit them to do it? I understand a reservation of mineral rights, but where the power is exercised there is an indemnity.

Mr. McCOIG. The only indemnity paid by any operator to any lessee of the Canada's Company's lots would be $25. One hon. gentleman says: Why can they not go to the courts? That is what the operators always offer to do. They say: If you are not satisfied with what we give go to the court. The hon. gentleman knows how little chance the average farmer has in going to court against an oil company.

Mr. J. HAGGART. I am with you, we will stick to the honest farmer.

Mr. McCOIG. I appreciate my hon. friend's assurance that he will stick to the farmer. There is no doubt a great hardship to many agriculturists in this country.

Mr. HUGHES. The farmer buys land from the Canada Company. Who controls the right to enter his farm and get the oil, the Canada Company?

Mr. McCOIG. That is the great question; whether they do that or not, the operator takes that right of going on the land and operating for oil, damaging crops and fences and ruining farms.

Mr. HUGHES. Have they no shot guns up there?

Mr. McCOIG. The hon. gentleman has expressed exactly the position the farmers have taken. In some cases they have threatened the operators, but I am glad to say have not done any bodily harm so far. One gentleman asked whether this bounty was to be paid under this Act, as it would be to a farmer who owned both the land and the mineral rights. I do not think that is the intention of the Bill; as I understand the Bill it is to give to the owner of the surface rights a portion of the bounty for the oil that is developed or found under his land. A portion of that is to recoup him for the damage he sustains to his farm through their operating for oil. It seems quite reasonable and fair and I feel satisfied the members will assist in this matter, because there are many, both Conservatives and Liberals, who will be benefited by it. It is not a case, as the hon. member for North Simcoe (Mr. Currie) said, of some particular person having the patronage or having some one with a pull getting all the money, it is a case of giving people their just rights in this particular section, and I feel satisfied the farmers will be delighted if the government will give them some assistance or relief in the unfortunate predicament.

Under the existing conditions the district is practically at a standstill. Owing to the danger of injury by oil operators the farmers will not take any steps to improve their farms or their buildings. If this Bill becomes law it will place these men on the same footing as their more fortunate neighbours who own both surface and mineral rights, and the interests of the community will be greatly advanced.

Mr. J. A. CURRIE. I do not propose to be misrepresented by the hon. member. I am not opposed to seeing justice done the farmers, the only thing I am opposed to is injustice being done to any portion of the community.

Does the minister not think if he wishes to give relief to these people he should give relief directly, and insist in paying the damages in a case of this kind where lands are entered upon? The very first man to protest against the bounty going to the surface-owners in that case would be the gentleman who owned the lease. The Canadian Company without a question retain all the mineral rights in their leases just as deeds in Ontario for many years contained a clause retaining the mineral rights, and in the north nearly all the free grant lands, especially in the eastern portion of the province, contain a clause retaining the mineral rights to the Crown as the deeds in the northern parts of the country retain the pine timber to the Crown. As a matter of fact, the man who owns the surface right never owned the mineral right at all. The complaint he can make is that it puts him to inconvenience and damage to have people drilling for oil on his place. In order to recompense him why should the government penalize the man who takes over the oil lease of that land? Bear in mind that it is not only the oil drillers from the United States who are concerned, there are others; farmers buy oil leases from their neighbours. Companies have been formed all over that country, and have secured leases for which they have paid, and they are entitled to a portion of this bounty. I think that we should meet the situation fairly. We should not say that the man who has the oil lease shall be penalized and the bounty refused to him. I think that is only a fair proposition. I do not wish to injure the man owning the surface rights, or to penalize the man who owns the lease, and has possibly paid a large sum for it. There are many other cases in that section where owners of oil leases go on land where they have no right to the surface, destroy crops and punch holes, and the man who owns the surface right has just as much complaint as those who happen to have received lands from the Canada Company.

Mr. GRAHAM. The argument put up by my hon. friend is exactly the argument put up by the Canada Company. Previous to 1872 their leases carried all the rights. After 1872 they inserted a clause in the leases retaining to themselves the mineral rights. What farmer knew that that clause was slipped into that lease? It might mean anything or it might mean

nothing. Half of them would not know what it meant anyway. They thought they were getting their land. Every man who has an old patent from the government thinks that he owns the land.

Mr. J. A. CURRIE. And he does.

Mr. GRAHAM. That is true, but those people who got land from the Canada Company would not know that they were not getting the title to the whole property but to only part of it. That being the case, the Minister of Trade and Commerce suggests a practical thing. We cannot interfere with a contract, that is a matter for the province, but we are giving, for the production of crude petroleum, a certain amount of bounty which is a gift and we have a perfect right by legislation to say how this gift shall be distributed. If the lessees of the oil rights have abused the privileges which they have got under their leases, we have a perfect right to step in and make them, in the ordinary vernacular, sit up, in so far as we can. This is a Bill for that purpose. If they do not damage the farmer's property they will get all their bounty, but if they have been regardless of and do damage to the surface rights of the farmers they should not get all their bounty, and if they know that they are not going to get it they will be careful with respect to the amount of damage that they inflict. My hon. friend says: Let them go to the court. That sounds well, but it is not business as far as the farmer is concerned. He may go to the court this year and get judgment for his damages, but he will have to go to the court next year and the next year after that. It is a great crop for the lawyer, but a mighty poor thing for the farmer. We have it in our hands, in connection with the bounty on oil, to deal with the matter and to say to whom and in what proportion it shall go. It is a fair proposition for this parliament to say by statute to the men who operate these oil wells and are injuring the farmers by inflicting damages upon the owners of the surface rights that we shall take the right to give them a certain part of the bounty, or to withhold a part in order to help pay for the damages that they may inflict upon the farmers. That is all that we propose to do here, and I think it is an act of fairness. It may not make much difference in the distribution of the bounty, but it will make a big difference in the damage inflicted upon the farmers by the lessees.

Mr. HENDERSON. I am very glad indeed that the hon. Minister of Railways and Canals (Mr. Graham) has taken this matter up. I noticed in the newspapers a few days ago—it is only lately that the matter has been brought to my attention—that such a difficulty existed in western Ontario. When the Canada Company obtained those lands I have no idea that they ever thought of crude petroleum. Coal oil at that time was practically a thing unknown. They did not know that it existed there and consequently if they are prevented to-day from getting any advantage out of it they lose nothing. I would have no sympathy with the Canada Company if they should be deprived of every cent that should accrue to the owner of the land from the operation not only of the bounty, but from the oil. The bounty is only a small matter and if the farmer were to lose nothing more than the simple bounty that this government pay that would be a small matter, but to my mind the oil is worth a great deal more. I can only hope that legislation may be enacted in some way that will prevent the Canada Company, or the lessees of the oil rights, from taking any interest whatever in the property. I do not believe that they ever contracted with the Crown for it when they got the land. It was something that came in after years and was then utterly unknown. There is a big question here, and the question will have to be decided, I understand, in the court, whether petroleum is a mineral or not. If it is not a mineral, possibly no danger will come to the farmer in those counties. I only hope that some sensible judge will decide the case and say that coal oil is not a mineral. I do not believe it is. I want to disabuse the mind of my hon. friend who spoke a few minutes ago, and I think a little sharply when he accuses hon. members on this side of the House of obstructing this measure. The minister has my entire sympathy in the move that he is making. I trust that he will guard the interests of those who have purchased the fee from the Canada Company, or from the assignees of the Canada Company, as far as he can, and I beg to assure him that he will have all the assistance and sympathy, if that is worth anything—I do not suppose it is needed—that I can give him on behalf of the farmers of the county of Kent. I understand that the Attorney General of the province of Ontario has promised to assist the farmers in defending their rights, and that he will guarantee the payment of all costs in connection with the defence of such rights. Whether this is the first opportunity that the Ontario government had of coming to the assistance of these farmers in these counties in connection with this matter I do not know, but it was the first intimation that I had that there was trouble, and I think the action of the Ontario government was very proper. I trust that with their assistance in the courts, carrying it, if the Canada Company wish, to the highest court in the realm, it will turn out that the Canada Company will not own what they think they own, and that the farmers will get

the right to the oil independently of the Canada Company altogether.

Mr. BLAIN. May I ask the minister if any provision will be made with respect to damage done to property where no oil is discovered? They may go in and destroy a man's property and discover no oil. What remedy will there be for the farmer under these circumstances?

Mr. GRAHAM. That is hardly a thing that this House can deal with.

Mr. BLAIN. What would be the result in a case of that kind?

Mr. GRAHAM. There would be no result under the Act.

Mr. BLAIN. The farmer would get nothing?

Mr. GRAHAM. That would be more for the local legislature to deal with than this parliament. Our powers are largely confined to dealing with our own bounty with respect to the production of oil. It is the only way we have to reach this question, it may not be very far reaching, but we will go as far as we think we can in this regard.

Mr. J. HAGGART. It appears to me that the minister does not fully appreciate the position. Let me instance a couple of cases. I go into that county and buy from a farmer mineral rights. I go to the Canadian Company and buy from that company the mineral rights on a particular section of land. In case I buy from a farmer, I am sure of getting the full bounty. I have an equally honest and valid claim on the property that I bought from the Canadian Company, but I am liable to a reduction for the simple reason that I have bought it from the Canadian Company. The minister says that the government have the right to dispose of this bounty in any manner they like. The government has no right to dispose of the money of the people to meet any such exceptional case as this. The government has no right to institute discrimination and to say they will give to one what they will not give to another. They may have the power, I doubt even if they have, but if so, it is a power that has never been exercised by any other government. If I buy mineral land from this company, and another man buys mineral land from a farmer, why should the man who buys from the farmer be penalized and not the other? I may do three times the damage to the land I purchase from the farmer, but I get no compensation, whereas if I do any damage to the land I got from the Canada Company I get compensation. Of course, you cannot make a law to apply to all sales of that kind, because it would be a dangerous principle to introduce, and it would be very expensive, but if you do it in one case, you certainly ought to do it in the other. As to oil being a mineral, I may tell my hon. friend from Halton that the courts have decided it is, and further than that, they have decided that gas is a mineral.

Mr. HENDERSON. That is some stupid judge.

Mr. J. HAGGART. You cannot speak of the judges in that way, and the general opinion is that the judge was right in that case. At all events, exceptional legislation of this kind is always dangerous, and the form in which it is presented in this Bill is most objectionable.

Mr. GRAHAM. I want to put this case to the hon. gentleman. A man buys the mineral rights from a farmer who owns them, and the farmer gets full pay for everything; it is a deal direct by the farmer himself. Is there not a big difference between that case and a third party coming in and leasing the rights from another farmer, who does not get a cent? My hon. friend (Mr. Haggart) says that the legislation is peculiar, and I admit it is, but the condition is peculiar. You cannot make any comparison, except theoretically, between the farmer who owns the mineral rights on his land and who makes a sale of them for which he gets a quid pro quo, and the man who until lately thought he owned his own land who has his property taken and who receives no damages. It may be peculiar legislation, but I believe it is practical legislation, and if it has the effect of making the third party, who is the lessee under the Canada Company, more careful as to the damages he inflicts, it will do a great deal of good, and notwithstanding that it may be peculiar legislation, if it effects a good purpose, I think it ought to be approved of.

At six o'clock, Committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. GOODEVE. It has occurred to me that possibly the minister might alter the wording of the resolution to meet at least to some extent, the objection raised, by providing that a portion of the bounty paid by the government be withheld from any flowing well owned by an operator who had committed damage in connection with another well. For instance, suppose a man operated on five farms, on none of which he obtained oil, but on all of which he did more or less damage, and eventually secured a flowing well on a sixth farm; he could apply a portion of the bounty that he would receive on the flowing well to the five farms on which damage had occurred, until that was paid up, and then the dam-

age would be continuing on the flowing well. In that way it seems to me we might cover the objection raised, because nearly all these companies eventually have some well on which they are receiving the bounty from the government. In regard to the merits of the Bill, as the minister has pointed out, it is very peculiar legislation, and he is taking an extraordinary step; but where that is done in the interest of justice, as apparently it is done in this case, probably the government are amply justified in passing it.

Mr. WILCOX. Having a farm leased to an oil company in the western portion of the province of Ontario, I desire to add a few remarks to what has already been said upon this question. I understand that this legislation does not in any way affect land which was not originally secured by the settler from the Canada Company. I am inclined to the view that my hon. friend from West Kent (Mr. McCoig) placed a very broad application upon this legislation when he said that it would benefit all the farmers in the western part of Ontario. To the extent to which it will benefit the farmers it has my hearty support, but it seems to me that it does not go far enough. I may say that the leases which have been given by the farmers to the company are perpetual leases, and they are only surrendered by the company after they test the field, and find that there is no oil. In the district where I live most of the lands were leased, and it proved to be a dry field. Various holes were put down for the purpose of testing the field, but no oil was secured; and under this resolution, as I understand it, the farmer will not receive any benefit unless oil has been discovered. Therefore it would be only in a very rare case that a farmer would be in a position to receive a portion of the bounty.

Mr. McCOIG. The hon. gentleman is well aware that possibly over half the lands in the counties of Essex and Kent are Canada Company lands, and if there are oil operations on any of these lands, the farmer owning the land would certainly be benefited.

Mr. WILCOX. In the field to which I refer I know of only one lot that was purchased from the Canada Company, and there did not prove to be oil on that lot; consequently no benefit would be derived by the farmer who owned it. It would be possible for a company to go and bore upon that lot, and do all kinds of damage to the farmer's crop, and other damage by carrying on such operations, yet the farmer would not be in a position to receive any benefit from this legislation. Now, I do not like the wording of this resolution. It will only be a benefit to the particular farmer, wherever he may be situated, who owns a Canada Company lot upon which there is oil, and upon which the company has retained the mineral rights. Among one hundred such lots ninety-nine would be barren of oil, and the one containing oil would be the only one benefited by this legislation. The resolutions provide that where a farmer has purchased from the Canada Company, one of these lots on which there happens to be oil, the minister may—it seems to me that that is only directory, and it ought to be imperative. It looks to me like placing temptation in the way of the minister. For instance, I might be a man independent in politics, and this might be handed out to me in order to bring me over to the right side. I would much prefer if the word 'shall' were used instead of 'may,' so that any farmer, irrespective of political colour or affiliations, if he had oil on his place, would be entitled to the bounty provided in this resolution. Reference has been made to the position already taken by the Ontario government. I may say that some little time ago I had an interview with the Minister of Public Works for the province, the hon. Dr. Rheaume, who is the representative in the Ontario legislature from my constituency, and I was informed by him that the reason this test case had not been made is because it is only lately such a case has been presented to the government. I was informed that an offer was made by the Ontario government to have a test case, but that the case had not been presented to the government. So far as I know the Ontario government is perfectly willing to have a test case in the courts which will determine the rights of the company and the farmers in this particular.

Mr. McCOIG. The solicitor acting for the provincial government is the same legal gentleman who was employed over two years ago and the evidence was placed in his hands at that time. It is the same case and the same evidence and everything is exactly the same now as it was two years ago.

Mr. WILCOX. I am informed that the Ontario government is anxious and willing to go on with a test case. I desire to say that in so far as the result will benefit those farmers who may own Canada Company lots on which there is oil, I give the minister my support. I believe in the principle of this proposed legislation, but it is rather unfortunate that it cannot go far enough to benefit those particular farmers who may have purchased Canada Company lots, whose farms have been drilled and damaged, and upon which no oil has been found.

Mr. S. SHARPE. I think the hon. gentleman who has just spoken (Mr. Wil-

cox) has placed his hand on the weakness of this resolution. It is dangerous legislation which makes any class of electors depend upon the good will or bounty of any government. If this legislation were of a compulsory nature, if it were so framed that all parties would share in its benefits, irrespective of any consideration but the merits of the case, I would be in favour of it. But the pertinent question is upon whose recommendations will the bounty be granted. Are the conditions and the regulations to be standardized? Are we to have standard regulations and conditions which will enable any one complying with them to obtain the bounty. If not, the whole Act will be administered according to the whim and will of a political party or minister, and you make it a political weapon whereby any constituency can be whipped into line to support the party in power as the dispensers of bounty. That is most dangerous legislation, instead of being permissive and depending upon the good will of the administration, it should be made compulsory. You should lay down the conditions on which the bounty will be granted, so that every one complying with these would be entitled to the bounty irrespective of politics. But if you place an engine of that kind in the hands of any political party, you put a constituency at the power of the government which dispenses the bounty. The Bill which is to follow this resolution should lay down the regulations and conditions to govern each case and, as my hon. friend from South Essex (Mr. Wilcox) has stated, should make the payment compulsory. If it be made compulsory, the farmer who has oil on his land will get the bounty irrespective of politics, and there can be no exceptions made. But if the payment of the bounty is to depend on the good will or the whim of any government, that is dangerous legislation which ought to be strenuously opposed.

Mr. MIDDLEBRO. This is class legislation of a very dangerous kind. In the first place it is legislation in favour of a certain class of persons who have lands with oil on them. In the second place it is legislation in favour of particular members of that class. I can see no reason, if we are to give class legislation at all, why one man in a class who has suffered damage is to be treated differently from another member of the same class who has also suffered damage. But this is legislation for class within class. Suppose I lived in the vicinity of the steel works of Sydney, N.S., which company receives and has been receiving steel bounties from this government to the extent of some millions of dollars, and suppose, by reason of the vicinity of those steel works, my lot suffers damage, have I not just as much right to say to the government, give me a part of those steel bounties? Another case would be this. I understand that the Consolidated Mining and Smelting Company have established great works in British Columbia, and have sold lots in the vicinity of these works, the deeds for which contain a clause barring the purchaser from any claim for damages by reason of the smoke or other offensive matter coming from the company's factory. But if a man ten years from now were to buy a piece of that land and were to overlook—as many of these farmers, the hon. minister tells us, have overlooked—the restrictive clause in his deed, he would have just as much right to say that since he had bought a piece of land from the company which was in receipt of government bounty, and since his property had suffered damage by reason of the works of the company, he was entitled to a part of the bounty. Both these cases are on all fours with the present; and if you establish a precedent, these people would have just as much right to claim a share of the bounty as those to whom you are providing to give it to-day. In the Railway Committee the other day, the Minister of Railways himself advised against giving any relief in respect of a measure which the hon. member for Centre Toronto (Mr. Bristol) had before that committee regarding commutation tickets. He advised against giving relief upon the ground that the matter was now before the courts. But the same condition exists in this case. A case is now before the courts covering exactly the same points as are proposed to be covered by the resolution before the House. I think the minister could well let the matter stand until we see the result of this case now before the courts.

Mr. GRAHAM. What the minister said in the Railway Committee the other day was this: The Board of Railway Commissioners claimed they had certain jurisdiction, the case was taken to the Supreme Court, and the majority of that court agreed with the Railway Commissioners. It was in their hands then to complete. It was not a question of the merit of the case, but whether the board had jurisdiction, and all the people were asking for was legislation to make it clear that the Board of Railway Commissioners had authority, and the Supreme Court decided that they had that authority.

Mr. S. SHARPE. If the test case that is now before the courts is decided in favour of the farmers, will there be any necessity for this legislation?

Mr. GRAHAM. I think it would have no connection with this legislation whatever. I think it would be a relief to the farmers, possibly, if that mineral was not retained, because I think the point would be whether petroleum is a mineral. If the courts were

to decide in their favour, I would not dare to give an opinion on the law, but it will be several years at least before it will be concluded. Now as to the question of the word 'may' or 'shall.' My hon. friend is a lawyer, and he knows that the word 'may' is the word that is used. It has been in that statute for years, I did not change that word. 'The Governor in Council may authorize the payment,' that is the old Act, I think, without any change. Of course my hon. friend will say that it only applies to the oil operators. But it is the same principle. No more authority has been given except to extend the number of people to whom this may be paid. There may be many instances where it wont be paid at all. But the circumstances are such that the owner of the surface rights ought to be paid whatever the Minister of Trade and Commerce may ascertain under certain regulations to be fair. The regulations I suppose will be new in that regard. In trying to work out a mechanical method by which this would operate, stronger minds than mine have informed me that it was not practical to devise a mechanical method of working it out, that the right principle was to leave it just as it is left under the Act, but to enlarge the sphere. Now there is no idea of any political influence or leverage in this measure at all. I am sorry that my hon. friend (Mr. Sharpe), who is young in politics and young in the House, should suspect such a thing, and I may tell him now that he will get on further and faster if he does not always suspect some one of political motives when they are trying to pass legislation that will be for the benefit of every class of people. No such thing entered my mind, and I would be very indisposed to make political capital out of this. When I was in the Ontario legislature this matter was brought up, and I did my best to see if there was not some way out of it. I was then leader of the opposition, and I admit it was difficult even from the provincial point of view to know just how to deal with it. The matter was brought up in the shape of a Bill, and the Bill was found not to be practicable. Then it was decided that the provincial government would bring a test case before the courts and prosecute it to a finality to see if there was any relief along that line, and they are doing that now. It is not so easy a matter to settle as it looks to be on the surface. Now I am informed that we cannot go outside the power we have of granting a bounty, and it is only because we are making a present to some people for the development of the petroleum industry that we are able to deal with this matter at all. We are not dealing with it very rigidly or to a great extent, but so far as we are giving a bounty to any person under the Act, we may deal with it. I ask this House to agree to the legislation, because it will enable us to protect the farmers to that extent. There is no ulterior motive in it at all, it is only a sincere and honest attempt to do justice.

Mr. S. SHARPE. Notwithstanding the professions of the minister, I do not think it requires a man to be old in years, or in politics, or old in political sin, to know that a minister or any one else who is in politics is not immune from political influence. Does any one suppose that the man who receives this bounty from the government will not feel under an obligation to the government? If the minister is bona fides in his assertion that there is no political influence in this matter, why does he not place the administration of the law in the hands of an independent commission, some local judge, who can ascertain the facts from witnesses on the ground? Let him put the administration of the law in the hands, say, of one of the judicial officers in that constituency. I would like to ask the minister on whose advice he proposes to administer the Act? Is it going to be the local representative? Is it going to be the patronage committee, or is it going to be the member from the constituency? How does he propose to proceed to ascertain the facts? If the minister does not propose this thing to be a political engine in the hands of the party leaders, it should not certainly be in the power of the government either to grant or withhold this bounty. If the minister does not propose to use this Act for the benefit of the government, why not place it in the hands of some independent commission, the warden of the county, for instance, allow it to be administered by the county council?

Mr. GRAHAM. Does my hon. friend honestly think that the warden of a county would be the proper person? He has no responsibility. This government is responsible to parliament, and parliament is responsible to the country. Talk about the warden! My hon. friend would be the first one to object to the warden because he might be a politician. To my mind the government is the only party to whom this duty should be entrusted, because the department as a part of the government is directly responsible to parliament, and parliament is directly responsible to the people. If my hon. friend's advice were taken and carried out, we would not need any government at all, because we would not let any department administer anything. I do not think this is a matter of sufficient importance to require us to hand it over to a commission, it is so easy, so plain, and so simple. The Minister of Trade and Commerce will have no trouble in finding out the proper thing to do, and in doing it. That is the only practical way I have

been able to find of dealing with this question. I am in earnest in trying to relieve the situation, I have been at this task for several years, even when I was in the local legislature, and this is the only way I have been able to discover that seems likely to solve the problem.

Mr. A. H. CLARKE. I wish to express my approval of the resolution now before the House. It is not a trifling matter nor a matter which affects only a few people in the county from which I come. There are a great many acres of land, a great many farms where the titles are held in such a way that the Canada Company has reserved mineral rights. I would prefer, if it were possible, that this resolution should provide that a fixed proportion should be paid to the owner of the surface, but I can see that it is impossible to do justice in that way, because in certain cases the owner should receive a certain percentage, and in certain other cases the owner of the surface should not be paid anything. Something has been said about ownership. I think any person who is entrusted with this legislation ought to be careful to see that they are not going to interfere with the vested rights of the Canada Company or of any other person; and if it is an interference with the vested rights to say that those rights which are reserved in the conveyance shall be set aside, I would be disposed to go very slowly in that direction. But I do not think it will have that effect at all. It is a matter of the bounty of parliament. This is not dealing with the rights of the Canada Company, or with the rights of any other owners who may have reserved mineral rights, but it is purely a matter of bounty given by parliament for the purpose of encouraging the production of oil. It cannot be gainsayed that the owners of the surface are very much damaged, and inconvenienced by the way the oil operations are carried on.

It is not as one member has said, a matter of one or two. I have had many complaints in my professional practice from the owners of soil in regard to this very thing. There are two matters that ought to be considered. Companies purchase the mineral rights from the Canada Company, the Canada Company do not operate themselves, they sell for large sums to other companies which go and operate. These people have not the slightest regard for the interests, and the business of the farmers. In many cases there is a good deal of salt water, and I have had many complaints that this salt water is allowed to escape, the oil may also be allowed to escape, and not only does it destroy the crop for the time being, but it so saturates the soil that it does not recover for several years. It may be that these operators will be gone for ever, they may have ceased their operations, they may be Americans who have gone to the United States so it seems to me this is one way in which the farmers can be protected. Anyway many of these are wildcat companies. They go there, they are not required to contract with the owner of the surface, they get their rights from the owner of the mineral. It is true they are compelled by the terms of the original grant to make compensation to the farmers, but this is of little use with many of these companies. They come and get a few wells, destroy a man's soil, and the next season they are gone, and you cannot get anything out of them. For these two reasons it is incumbent on the House to make some provision whereby the owners of the surface who are injured by these operations should be helped to get some of this bounty. As far as the administration of the bounty is concerned, I do not know any administration better than the one which represents parliament in the distribution of its own bounty to see that justice is done in regard to the distribution of that bounty.

Mr. BLAIN. What suggestion would my hon. friend offer for the large number of farmers where oil wells are put down on the farms and great damage done, and no oil procured?

Mr. A. H. CLARKE. That is a matter with which this parliament cannot deal, that is a matter of civil rights which would come within provincial jurisdiction. As far as I can see they are helpless.

Mr. BLAIN. The Minister of Railways made an effort to grapple with it in the legislature, and he said it was beyond his powers.

Mr. PUGSLEY. The minister was then in opposition.

Mr. A. H. CLARKE: All this House can deal with is the bounty. That is a matter within the jurisdiction of this parliament, and in administering this bounty this parliament ought to see that justice is done to all parties.

Mr. ARMSTRONG. Representing a district in which oil is produced, but which is not affected by this legislation, I have investigated the rights of the people in the counties referred to here, and I can assure the members that the farmers in those districts have been most unfairly dealt with. Oil companies will come on their land, and damage it to a considerable extent, and the Canada Company, which happened to reserve to themselves the rights to the minerals which are produced take to themselves a portion of the oil, and destroy to a large extent many farms in the district mentioned. As far as I can understand the legislation is in the right direction. In regard to the cases mentioned by the hon. member

for South Essex the farms that are leased by the oil operators, and on which oil is not found, I can only suggest that the farmers will take good care that when they are entering into a lease with an oil operator to see that he pays the damage, and if you investigate practically all the leases now in force you will find that the lease compels the oil operator to pay any damage done to the farmer by operating on his land. I cannot help thinking the legislation is in the right direction, and although it does not affect my district I feel that for many years the farmers in the districts here referred to have been badly in need of some legislation that will do justice to them.

Mr. GOODEVE. I still think that if the minister wants to secure to the farmers the full advantage some method should be arrived at whereby every farmer whose property is damaged would receive compensation along the lines I have suggested. The minister must realize that in drilling for oil, as in mining for precious metals, there is only one success out of many failures. It is said the proportion is about one in fifty. If we pass this Bill, taking that as a proportion, then only one man out of fifty who would be seriously injured and whom the minister desires to aid would receive any assistance under this Bill. If that is the case I feel that if we have authority to say that a certain proportion of the bonus which is to be received by the parties operating the well shall be paid to the owner of the land, I cannot possibly see why you cannot go a step further, and say that any operator, when he gets a flowing well, must pay for all the damage he has caused in the drilling of previous wells out of the bonus he receives. That would be fair, and should aid in making the Bill effective.

Mr. A. H. CLARKE. Is not the resolution wide enough to cover that? It says: Such other persons as may be injuriously affected.

Mr. GOODEVE. That is all I want. The farmers suffer most from the operations of men who are not successful in finding oil wells.

Mr. GRAHAM. I am inclined to think this resolution would hardly cover the point suggested. I think the suggestion of my hon. friend (Mr. Goodeve) is well worth considering. As I understand him, one operator may be operating on half a dozen different farms; on one farm he may get oil while on another he may not get any, and the question is whether a Bill could be framed on the resolution sufficiently wide to enable the department to distribute the bounty earned on one farm over all the others.

Mr. ARMSTRONG.

Mr. GOODEVE. That is the idea.

Mr. GRAHAM. I think it is worth thinking of in order to see whether that can be done. In the meantime, I will see if it can be worked out.

Mr. ARMSTRONG. If an operator gets a lease from a farmer and in that lease the operator states definitely that he will pay all damages to fences and crops, what need is there for further legislation?

Mr. GRAHAM. That is the case where the farmer himself gives a lease, but I am trying to differentiate between that and the case that we are dealing with in connection with this Bill. The farmer himself enters into that transaction, and if he does not get paid for the damage that is done, it is the farmer's fault. But in this case the Canada Company has sold a farm to a farmer, reserving the mineral rights. The Canada Company, without consulting the farmer, sells the mineral rights to some other people, and they come along, without the consent of the farmer, and begin operations upon his farm. It is to meet this case that I am introducing this legislation.

Mr. MIDDLEBRO. If this Bill becomes law, what ground will the minister have for objecting to compensate a man who is living alongside of a smelter and who suffers the same disabilities as the farmer does in connection with the oil industry?

Mr. GRAHAM. That would be a question to decide by itself. I am afraid I would not introduce a Bill to that effect. I think I can see some differences between the two in quantity at least, as my hon. friend from Lincoln (Mr. Lancaster) would say, if not in quality.

Mr. MIDDLEBRO. I think they are on all fours. The case we are trying to meet here is a case of continuing damage. It is a case that arises out of a contract. But here is a man who is living alongside of a smelter by which he is injuriously affected. Many men have settled without any knowledge of the location of the smelter. When the farmer bought the land, he did not know that there was going to be a smelter. His case is analagous to that of the man who bought land not knowing that there was a reservation as to mineral rights, and not knowing that oil was going to be discovered. If a smelter is located alongside of the property of a farmer and he is injured thereby, he will require to maintain a continuous action in order to secure that which he is entitled to recover, as the damage would be continuous, and he is entitled to be relieved of going into a lawsuit the same as you are going to relieve these owners under this Bill. I do not know of any reason why, if this Bill becomes law, any man residing alongside of a smelter should

not have the same right to come here and ask this government to compensate him. Otherwise, he may be robbed of his legal common rights just as these parties would be if the minister had not introduced this legislation. It is class legislation.

Resolution reported, read the second time, and agreed to.

Mr. GRAHAM moved for leave to introduce Bill (No. 208) to provide for the payment of bounties on crude petroleum.

Motion agreed to, and Bill read the first time.

SUPPLY—ST. PETER'S INDIAN RESERVE.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. G. H. BRADBURY (Selkirk). Mr. Speaker, before you leave the Chair, I desire to call the attention of the House to a matter of very serious importance, a matter that affects the honour of this country, regarding a transaction that ranks, in my mind, high amongst the meanest ever committed by this government. It was an outrage against everything that was fair, against everything that was decent as between the government of the day and its ward, the poor unfortunate Indian who, this country believes, is watched over, guided and protected by the government. The manner in which this government has discharged its sacred trust towards the wards of the people is well exemplified by the way in which it manipulated and secured the surrender of the St. Peter's Indian reserve at Selkirk, which happens to be in my county. Just about a year ago I called the attention of the minister responsible for the conduct of the affairs of the Indian Department (Mr. Oliver) to the scandalous proceedings of the land speculators in relation to this surrender. I urged the minister at that time to make a searching investigation with the view of protecting the wards of the people and punishing those whom the Indians were alleging to have done them such a grievous wrong. But at that time the minister did not seem to realize that there was anything to investigate, and he practically told me that the Indian had made his own bargain and must abide by it. Now, that the House and the country may know something of this transaction, I purpose placing on record the terms of the surrender, or that part of the surrender that relates to the land which this govenment secured and divided up with their friends. I hold in my hand a memorandum submitted to the hon. the minister responsible for the Indian Department, by his deputy, Mr. Frank Pedley. This memorandum is dated just about one month after the surrender took place. It is dated at Ottawa, October 26, 1907, and reads as follows:

Mr. OLIVER. Pursuant to your instructions, I left Ottawa on the 17th ult. and reached Winnipeg on the 19th ult. to take up with the St. Peter's band of Indians, near Selkirk, the question of the surrender of their reserve at that place. When this reserve, consisting of about 55,000 acres, was set aside in 1871, provision was made that the rights of the parties holding lands within the boundaries of the reserve should be protected, and as a result of this some 5,000 acres have been patented to parties other than Indians. In order to settle the remaining outstanding claims Chief Justice Howell of Manitoba was appointed a commissioner in November, 1906, for this purpose, and from several interviews with him I judge that there would be from 1,500 to 2,000 acres still to be patented, thus leaving as belonging to the reserve proper about 48,000 acres.

This was the area that I dealt with in my negotiations with the Indians for a surrender.

Upon such terms as the government of Canada may deem most conducive to our welfare and that of our people, and upon the further condition that all moneys received from the sale thereof shall, after deducting the usual proportion, for expenses of management, be paid as follows, namely: one-half of said sum remaining to be paid to us the year following the receipt of same by the government after sale of said lands, the balance of said proceeds of sale to be funded for our benefit and the interest to be paid to us annually. At each payment as aforesaid the sum so paid shall be divided so that the chief shall receive each year the sum of $6 more than that to which the other individual members of the band shall be entitled. And upon the further conditions that out of the said St. Peter's reserve now surrendered there shall be granted an area not exceeding 21,000 acres to the members of the band as follows: to the chief 180 acres, to the ex-chief and each councillor 120 acres, and to the other members of the band in the proportion of about 80 acres to each head of a family of five; grants to be made also in similar proportions to widows and to unmarried men and women over 21 years of age. In addition to the said 21,000 acres above mentioned there shall be set aside 3,000 acres of hay land for the members of the band having land in the present reserve. The department shall advance at the time of the surrender the sum of $5,000 to be repaid out of the first moneys received from the sale of the lands.

It will be seen that by this surrender the government secured 48,000 acres of land. This land was all situated within a radius of 25 or 26 miles of the city of Winnipeg. The Red river passes right through the centre of the reserve; the banks on each side of the river were high, making this an ideal area of farming land. I have no hesitation in saying that 85 per cent of this land is first-class, and was the best land to be found in the province of Manitoba. This government that boasts in this House, and out of it, that its policy is: the land for the settler, and not for the

speculator; with this boast still warm on its lips, and still ringing in the ears of the people of this country lends itself to this scandalous transaction by which nearly 35,000 acres out of the 48,000 acres passed into the hands of a few of its political friends for less than one-third of its actual value. And now, the poor settler that this government has been so much exercised about, that this government has proclaimed to the country that it is protecting and keeping the lands for; these poor settlers are forced to go to these landed gentry, the friends of the government, who obtained the land for a mere pittance, and pay, not twice as much, not three times as much, not five times as much as these gentlemen paid for the lands to the Indians, and to the government, but the settlers are actually paying to-day eight and ten times as much for an acre of these lands as the government allowed these speculators and party heelers to secure it for. This is the way this western policy of the government works out. That the House may understand the conditions I intend to lay before it facts which will show how this trick was worked. As the surrender I have read to the House indicates, the head of each Indian family of five was to have the right of disposing of 80 acres of these lands; the head of a family of six would have 96 acres; the head of a family of seven would have 112 acres. It will be seen that the heads of these Indian families, poor, ignorant Indians that never owned an acre of land in their lives before, were made competent by this government to hold and transfer, and sell lands worth in the vicinity of half a million dollars. A fair average of the holdings of these Indians was not less than from $1,200 to $1,500, and I am satisfied in view of the evidence that I will endeavour to lay before this House, that when the government were giving these lands to the Indians, they knew that these lands would simply pass from the Indians to the white men, and that the deal was arranged for. In addition to the 21,000 acres that were allotted to the Indians, and the 2,000 or 3,000 acres that were set aside for the hay lands, the government were supposed to auction the balance of the land, and some 15,000 acres were sold at public auction. Now, Mr. Speaker, some time ago I drew the attention of the minister to the fact that great dissatisfaction prevailed among the Indians over the manner in which these lands had been handled, and the manner in which the surrender had been secured. The Indians claimed that they had been practically robbed of their lands by a few Grit party agents, and land speculators under the very nose of the Indian agent, who seemed to be looking after the interests of the speculator more than he was looking after the interests of the Indian whom he neglected entirely. In fact, Mr. Speaker, the Indian agent was in the market himself, and was purchasing these lands with the other speculators. Now, I do not want to weary the House, but this matter is of such importance to myself, and to the district I represent that I feel I must place before the House some letters and declarations from some of the Indians showing of what they complain. At the time I was urging the minister to investigate, I am satisfied the minister should have known if he did not know that there was a serious wrong done to that band of Indians.

The first letter I will read is as follows:

St. Peter's, May 2, 1909.

Geo. H. Bradbury, M. P., Ottawa.

Dear Sir,—The principal orginators of the ruination of the St. Peter's reserve are the chief and councillors. They publicly declared repeatedly before the band, that they would never surrender the land under any consideration. But of a sudden they kept mute, and when the matter was brought before the band, at the meeting September 23, they stood to a man for a surrender. The chief received 199 acres of land and ten dollars cash; each councillor received 140 acres of land and six dollars cash; ordinary Indians received 16 acres of land, and four dollars and thirty cents cash ($4.30). You will see the vast difference. Why should this be? No sooner was the surrender made than the chief and councillors were the first parties that sold their land. After selling their land they began to influence their people to sell their land, telling them that until their patents were issued no proper bargain could be made. But they were only getting advances on land until patent came, but it is far from being the case; the majority of those poor Indians didn't even see the sight of their patents.

True, we have an Indian agent. As far as my judgment goes, and what I honestly think, he is more an agent for the white man than he is for the Indian; what protection can we expect from such a man as Indian agent, as one who took a mean advantage of a poor treaty woman, a widow at that, who had land near the town of Selkirk. This same Indian agent bought this land from this poor woman for a very small sum of money to the acre. This sale of land was made prior to the time of the issuing of patents. I was wondering would that sale be considered legal? An Indian agent, while in office, to buy land from a treaty person, is in my mind illegal.

There is another matter I desire to point out clearly, the chief and councillors offices were terminated on the 4th day of July, 1908. Prior to the time of that date, we requested the government to grant us an election, at that date our request was unsuccessful; from that time the matter was postponed indefinitely. At last we were told that there is no law for our elections. Strange to say it was always interpreted as law by government officials, whenever holding an election it was always declared as law, and the term three years, up to the date of the surrender.

Mr. Pedley, during the meeting, when asked whether the surrender would interfere with

our elections, he told us very frankly, just the words he used: No! he said that the matter rests with the band and the law. It is most astonishing to us all, when we are now informed that there is no law for our election; apart from law, if it was only a privilege, as they claim, we have had that privilege for many years in the past, and it should be upheld and maintained. I am fully aware, unquestionably, that it was the only protection we have had in the past, the term of those elected being three years. The band are entirely ignored and know nothing at all the actions of the chief and councillors, in fact they are more for white men than what they are for their fellow Indians who elected them, in fact they are entirely unfit for the position, and do not in any way represent the opinions of the band.

This letter is signed by Wm. Asham, ex-chief of the St. Peter's band, one of the most intelligent Indians I ever met, a man who would average well with the average white man in this House to-day. You will understand, Mr. Speaker, before I conclude my remarks, what this man meant by speaking of the chief and council as he has done. The chief and council, as I stated on the floor of this House before, were bribed to betray their band. I beg to read part of another letter.

St. Peter's, Gilolo P.O.,
May 12, 1909.

Hon. Geo. Bradbury, M.P.,
House of Commons,
Ottawa.

Sir,—When Mr. Tracy knew that the Indians of St. Peter's band were going to be permitted to sell so much land from the Indian Department, he made some dealings with them, with hay; he would ask them to put up hay for him, so many tons for him to put up in stacks, and pay them in advance of $2 per ton, and make them sign some paper; the Indian did not know what he had signed. This was power of attorney, and when the winter came the Indian would come and tell him the hay was ready and he would tell them that he would not need the hay, but have enough; you had better buy it back, and the Indian would take it back without proper understanding, and afterwards he charges them $8 per ton and charge everything up. He registered these papers—soon comes up a very large amount, sometimes $100 and more—this is the list I sent to you to see, and when the land was sold he sent these amounts to the land buyers and stopped their money and then the Indian could not draw his money although we, the chief and council know that this is not right, and though we laid this matter before Indian agent Mr. Lewis, he would not help us, but he would say let the Indian Department know, and we know that the Indian agent helps the land buyers rather than help us.

Most of the Indians are dissatisfied with the selling of their land. I was trying to stop the sale of land when it was commenced, but the land buyers said they wanted to buy the land in a risk.

This letter is signed by W. H. Prince, one of the councillors. I now wish to read a petition which was sent to me, addressed to myself:

St. Peter's November 1, 1908.

Geo. H. Bradbury, M.P.,

Sir,—The undersigned beg to lay before you their following grievances. The surrender of the St. Peter's reserve was made on the 24th of September, 1907. A few days after the surrender was made, land buyers came and bought land, first of all buying from the chief and council. After this was done, then they were hired to influence their people to sell land, telling them until such time the issuing of patents, a proper bargain could not be made, hence the land was sold, and the majority of Indians never made an application for their patents, however, the patents were issued, the Indians only heard of the same, never even having the privilege of seeing their patents.

The Indians were entirely ignorant as to the nature of the documents they sign when selling land, for the reason no proper interpretation given at the time of sale or any other time, and that is the reason why there is so much complaint.

There is another matter which we think would be necessary to be understood properly. There were application forms at the Indian office and each head of a family had to make an application in person for his or her patent, this was never done with but a few exceptions, when issuing of patents, there were another kind of forms at the Indian office which had to be signed by the Indians before receiving their patents. This was never done, with but a few exceptions.

I want to say that I asked for a return of those forms of prepared receipts for patents signed by the Indians. I have no hesitation in saying that I believe 90 per cent of those receipts were forgeries, that they were never signed by the Indians knowingly, and that the Indians did not know they had ben signed. The petition goes on:

With regard to allotment of land, the chief received 196 acres individually. Each individual received 136 acres. An ordinary Indian received 16 acres, besides the chief and councillors received more money than the ordinary Indian.

The land buyers were the parties that selected the choice land, the Indians were simply onlookers. That is the treatment the Indians received from their so-called chief and council.

Some instances the Indians were receiving less than $2 per acre, some received $2.50, some $3 and some $4 and $5 to the acre, and some are entirely ignorant as to what sum they received.

We are all fully aware that our land was fully worth at least from $15 to $20 per acre.

Trusting that you will be able to understand the nature of our grievances, humbly request-

ing that you will use your influence to bring the matter before the House, if possible.

Your petitioners will ever pray.

Signed.

JOHN THOMAS STEVENSON,
THOMAS DANIELS,
FREDERICK CAMERON, SR.,
JAMES STEVENSON, JR.,
GEORGE HODGSON,
PETER STEVENSON,
JOHN HARPER,
HENRY COOK.

I have a declaration here which I wish to read to this House made by a man over 90 years old. He came to me himself in Selkirk, and I had an opportunity of talking to him after he had sworn to this declaration:

TESTIMONY.

Dominion of Canada,
Province of Manitoba.
To wit:

Charles Trindle.

In the matter of St. Peter's Indian reserve and of the sale and disposal of the Indian lands in said reserve.

I, Charles Trindle, of the parish of St. Peters, in the province of Manitoba, do solemly declare that:

Sometime during the month of January, 1908, hearing that parties were buying the Indian lands at Selkirk, I visited Selkirk and approached one of the men who were buying these lands. He refused to buy my land stating that I was too old to deal with. I then went to the Indian office at Selkirk and there saw the Indian agent, J. O. Lewis. There were present at the time in the room the chief, William Prince, and W. D. Harper, councillor, W. H. Prince and James Williams, also councillors. I told these men that the party who was buying land, I believe him to be William Frank, had refused to buy my land. The chief then asked me why and I told him that Frank said I was too old. The Indian agent, J. O. Lewis, then said, I will buy your land, at the same time saying, what do you want for your land? I said $10 per acre. The Indian agent said I will take the land and pay you at the rate of $6 per month. In this way you will have a monthly allowance coming for a long time which will help to keep you. It was now dinner time. The Indian agent gave me 25 cents to get my dinner, telling me to come back after dinner when he would give me my first instalment of $6. I came back after dinner, and the same parties were in the office as were there when Mr. Lewis said he would take my land. Councillor James Williams acted as interpreter and explained all this matter to me. After the above explanation, Mr. Lewis, the agent, gave me an order on William Robinson's store for $6 This was, as I understood, the first monthly payment on my land. I took this order to the store and received $6 in cash. As far as I know I was not asked by the agent to sign any paper or any receipt for the order he gave me. I never signed by my mark or any other way to my knowledge any agreement to sell my land to the agent, neither did I ever sign any application for my patent, nor did I ever sign any receipt for my patent.

Mr. BRADBURY.

Nor did I at any time ever see my patent. I now feel that I have been fooled by the agent in the presence of the chief and councillors. A month later I came back to my agent for my second payment of $6. He again gave me an order on the same store as the first, namely, William Robinson. I got the cash for this order at the store. A month after this I again called at the Indian office, and received an order or a paper, this time to George Tracy, of Selkirk. On presenting this to Tracy he gave me a cheque for $6 where I cashed it. On receipt of this cheque from Tracy I touched a pen. There was a paper lying on the desk. It was not read to me, nor do I know the contents. I do not understand English. I am an old man, nearly ninety years of age. There was nobody present to interpret, consequently I did not know the contents of any paper which Tracy may have signed when I touched the pen. This was the only time I was ever asked to touch the pen or sign any paper in connection with the sale of my land. If my name has been signed, or my mark placed on any other documents, it has not been done by me. At that time Tracy told me that from then on he would make the monthly payments, and for me to come to him every month. This I did, and received from George Tracy cheques for $6 each month for 18 months in all, not including the two $6 orders I had received from the agent to the store. Including these orders I received a total of twenty orders or cheques for $6 each a total of $120 for my property, which should have been 32 acres that I should have received from the government, 16 acres for myself, and 16 acres for my wife, and at $10 an acre the price agreed upon by the agent would be $320. This at $6 per month would have entitled me to receive monthly payments for 53 months instead of 20 months which is all I received from the agent and Tracy, a total of $120. When Tracy gave me my last cheque in August, or maybe a month before, he did not tell me that this was my last payment, but the next month when I went for my cheque, he told me then that I had received all the money that was coming to me. This was a great surprise to me, as I had expected my payments to continue for a long time. I now find that I only received less than $4 per acre instead of $10 per acre that J. C. Lewis, Indian agent had agreed to give me.

I now feel that the Indian agent has not only not protected me but he has deceived me so that I have lost my home.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canadian Evidence Act.

His
CHARLES X TRINDLE.
Mark

Declared before me at the Town of Selkirk, in the Province of Manitoba, this 21st day of December, 1909.

C. Finkelman,
Commissioner.

In support of that affidavit I hold in my hand an account rendered by Mr. George Tracy, which appears in a return ordered

by this House. In the account there is the question of this very land which this man speaks of. Mr. Tracy has an account against Trindle, and in that account he credits Mr. Lewis, the Indian agent, with having made the first three payments on this land. I do not think the hon. minister can ask any further evidence to prove that his Indian agent was a party to this transaction. We have the declaration of the old man himself, and Lewis's colleague, George Tracy, in the account he rendered, admits right on the face of the account that Lewis made the first three payments himself to this Indian. Just before leaving this matter, I want to say that is one account out of eighty-six which this man Tracy had against the Indian. He managed to have dealings with these men after he realized that they were going to be possessed of valuable land, and that these lands would be at their disposal. His accounts aggregated something like $13,000, and I have no hesitation in saying that for 25 to 50 per cent of this amount the Indians received no actual value.

Before I take my seat I think I will be able to satisfy the minister that this statement is absolutely corect. This man only charges Trindle with having received $160, but he received it in six payments according to Tracy. An old man of 90 years of age admits that he got twenty payments of $6 a month, and this man charges him at the very beginning of the account with a $35 cheque issued to Captain William Robinson's store. I am satisfied this man never received that cheque, and all through this man's accounts the same story is told. The Indians have been wronged right under the eyes of the Indian agent, and I am afraid with the assistance and connivance of the Indian agent. Now, I have here an affidavit from a poor Indian woman from whom this agent bought land in the first place, and I will read it:

TESTIMONY.

Dominion of Canada,
Province of Manitoba,
To wit:

Flora Bella Wesley.

In the matter of the St. Peter's Indian Reserve and of the sale of the Indian lands in the said reserve.

I, Flora Bella Wesley, widow, of the parish of St. Peter's, in the province of Manitoba, do solemnly declare:

That I am a member of the St. Peter's band of Indians, and in the matter of my allotment of land under the terms of the surrender effected September 24, 1907, I was entitled to 16 acres of land, 16 acres each to my two boys, and 16 acres to my daughter, 64 acres in all.

A few months after the surrender, and before the proper allotments were made, I sold to J. O. Lewis, Indian agent at Selkirk, 32 acres of my land situated inside the limits of the town of Selkirk for the sum of $5 per acre, part of which I had to receive in cash and part in goods, but I am quite unable to say what amount I received on this sale.

I also made a sale to William Frank of 16 acres, and for which I was to receive $125, but only received from him the sum of $35 in all, $23 in cash, and goods from the store to the value of $12. The balance of $90 Mr. Frank informed me he could not pay me as George Tracy had claimed it for debt.

William Frank informed me that he had purchased all my land, 32 acres in all, which I disputed, and told him I only sold him 16 acres, that the other 16 acres I did not intend to sell, as I required it for myself. I further declare that I never made application for my patent, never saw my patent, and never signed a receipt for my patent.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

FLORA BELLA WESLEY.
X
Her mark.

Declared before me at the town of Selkirk, in the province of Manitoba, this 20th day of January, 1910.

C. R. SMALLMAN.

Sir, I have thirty or forty similar declarations sent to me from these people, and they all verify the statement that has been made by the Indians in their letters. These declarations ought to open the eyes of the minister, because I am sure that some of them must have come to his attention long before they came into my hands. I want to emphasize this fact, that in face of the declaration made by Flora Wesley, and the declaration made by Charles Trindle, the minister can have no further doubt as to the charge that was made that the Indian agent, J. O. Lewis, was buying this land in collusion with other land buyers. In discussing this matter some time ago in this House, I endeavoured to show that the surrender had entailed great hardships upon the poor ignorant Indians, who now allege that the transaction was a trick and a disgrace to the government responsible for it. I urged the minister then to institute an investigation with a view of protecting the Indians against the unscrupulous methods employed by these speculators who, through the assistance of the government, had been able to secure these lands for less than one-third of their actual value. But the minister practically said that there was nothing to investigate. But he did admit that the surrender contained some peculiar conditions, and his words are to be found in volume 1 of last year's 'Hansard,' page 1019:

The surrender contained many peculiar terms. I do not suppose there ever was a surrender like it before, and I fervently hope there will never be one like it again.

Sir, well might the minister hope that no such disgraceful transaction might ever

again take place under his department. He proceeds to say:

One of the terms of the surrender was that the Indians should be given title to some part of the reserve. It was a remarkable condition, but I place it before the House as an evidence of how far the department is willing to go in order to meet the Indians, and in order that the land may be turned to beneficial use.

In justification of giving the land to the Indians, the minister says:

The Indian would only sign the surrender of the reserve as a whole when he got this particular piece of land as his very own to do with as he pleased, and when he got it as his very own we had no control over him as an Indian Department or as a government. He could dispose of it as he pleased.

Sir, I submit that that is an astounding proposition for the guardians of the wards of the people of this country to make, that because the poor, ignorant, irresponsible Indian made a bargain, or made a condition, by which he expected to get land worth half a million of money, before he would agree to sign the surrender, and that the government was justified in giving these men this great reservation to dissipate, to throw away, and to hand over to their political friends. The minister admits the peculiar terms contained in the surrender, referring no doubt to the unprecedented act of giving to these Indians this large area of land, land worth, as I said a moment ago, at least half a million dollars, and then leaving them entirely unprotected. This is, to my mind, the most serious charge that can be brought against the government, the fact that in giving the Indians this land, the government removed all protection from them, handed them over into the hands of speculators, who were watching their opportunity to pounce upon them, and take these valuable lands from them. This was practically handing the land over into the hands of a few men that this whole transaction was apparently arranged for. I have no hesitation in saying, with the evidence I have before me, whether the minister is conscious of the fact or not, that this whole transaction was engineered and arranged so that this magnificent area of land should drop into the hands of three or four men who have actually got these lands. To prove the correctness of the contention that the government anticipated that these lands would eventually pass into the hands of the whites who were hovering around watching their opportunity, I shall quote part of a letter from the Deputy Superintendent General of Indian Affairs to the Hon. Frank Oliver. The letter is dated October 26, 1907, a short time after the surrender was completed. He says:

The placing in the market of the land to be sold, namely, 24,000 acres will afford an opportunity long looked for of having the land available for farming and other purposes, and the issuing of patents to individual Indians will ultimately, I believe, result in a considerable portion, if not all, of the land granted to them passing into the hands of the whites.

The statement that there are 24,000 acres is about as correct as every other statement that gentleman has made in regard to this transaction, because 15,000 acres only and not 24,000 were sold. This is from the man who negotiated the treaty under the instruction of his minister responsible for the affairs of the Indian Department. I claim that nothing more is needed to show that the government was responsible for this outrageous surrender, knew that the Indians would sell their lands to the few speculators then on the ground ready to bargain for them, and that under the protection of the government which had warned the general public off by a letter written by Mr. Pedley to the Indian Agent, which I shall read in order that the House may have some conception of the ingenuity of the men who were carrying out this surrender. After the surrender was secured a large number of people in Selkirk who realized the great value of these lands were anxious to secure portions of that reserve, and as soon as they began to negotiate with the Indians a letter arrived from Ottawa to the following effect:

Department of Indian Affairs, Ottawa,
January 21, 1908.

In connection with Indians disposing of or pledging their holdings, I beg to say that no transfer or pledge by any Indian will be in any way recognized by the department, and when it has been determined what land each Indian is entitled to receive, a patent for the same will be issued to such Indian, without regard to any claims by white men or others.

It is necessary to make this position of the department clear, and as widely known as possible, as any recognition of rights by transfer would cause endless complications, and in order to prevent same it is incumbent on the department to issue grants only to the Indians found entitled to receive same.

Almost immediately on receipt of this letter the Indian Agent heard of his instructions and made known the contents of this letter wide and far. He went into the Indian reserve and warned every Indian that he had nothing to sell until his patent came. In the town of Selkirk almost every man who approached him—I sent men to approach him myself to find out—they were told by the Indian Agent that the Indians had nothing to sell until the land was surveyed and the patents issued. That was the proper course, and if the government had adherd to the spirit of that letter I would not be standing in my place exposing what I believe to be one of the meanest transactions that has taken place under this government during the fourteen years it has

been in office. What occurred? As soon as it became known that the Indian had nothing to sell until his patent issued, the average citizen, Liberal and Conservative alike, hung back, refused to give the Indian a dollar on his land, refused to negotiate with him; knowing the Indian nature as well as they did they did not want to deal with them all except four men. One of these was William Frank, whom I have named in this House before, a large real estate dealer in Winnipeg, a supporter of the present government, who came to Ottawa himself and interviewed somebody here, I do not know whom. I met that gentleman myself on his return at Beausejour, fifteen miles east of Selkirk, and we rode in the train together. He then said to me: I am going to buy the Indian lands, I am going to take the chance, if you like to come in with me, it is all right, it is quite safe. He gave me the tip; I did not take it. He said he had been to Ottawa. I asked him whom he had seen; he did not tell me, but the result was, as is very evident from what has since transpired, that that man had the tip from the proper source. He immediately started to work to negotiate with the poor Indian to buy these lands, he and three others. One of these was Fred Heap, a lawyer in Selkirk, a man who drew $1,800 in fees in connection with this very surrender. Another was George Tracy, a drayman in Selkirk, who conducted one of the most scandalous transactions ever perpetrated in the west in connection with these Indians. Another was a man named Funk, an American. These four men negotiated and dealt with these Indians and bought out of 21,000 acres that the Indians had, about 18,000.

How did they conduct these negotiations? The very first move these men made was to secure the co-operation of the chief and councillors. They bought the chief and the councillors' land, and in addition they bought the chief and the councillors to assist them in carrying out the negotiations with the rest of the Indians, in bringing the Indians to them, and in bargaining with them for the balance of the land. They caused these councillors and the chief to circulate a rumour all through the reserve in conformity with the letter I have read to the House that the Indians had nothing to sell until his patent came, but that these patriotic gentlemen were just going to advance them a little money until their patents came. They said to them: Your land is worth about $15 or $20 an acre, but you will get an advance of $4 or $5 an acre now, and when your patents come we will give you the balance of the money. That is the way these poor people were misled. Then they brought the Indians up to Selkirk and they purchased their lands and made their own bargains. That the whole transaction was arranged for a few party favourites who got these lands, I think, is evidenced, first, by the fact that the surrender was secured at the request of Mr. S. J. Jackson, then member for the county of Selkirk, a supporter of the present government. There was no other demand, there was no petition from any source asking that the surrender be secured. The only man who is on record, according to the minister himself, as having requested the surrender is Mr. S. J. Jackson. This surrender, Mr. Speaker, was secured right on the eve of a general election. The money that was paid out for these lands was circulating through that constituency just in the middle of my campaign. The Indian agent, who, I have proven to this House, was recreant to his trust as a government official, was an active organizer for my opponent, Mr. S. J. Jackson. He organized the whole eastern part of the constituency against me, and, more than that, he seemed to have abundance of money, so much so, that I regret to say, that one of my committees saw fit to have him arrested two days before the election for paying out money in the town of Beausejour. The speculators taking advantage of the ignorance of the Indians, 23,000 acres of land were disposed of without let or hindrance, without the guidance or advice of the Indian Department. I want it to be remembered, Mr. Speaker, that every one of these Indians had been raised and brought up to lean and to look upon the Indian Department as their guide and adviser. But this government gives them this valuable land, and then withdraws all its protection, support and guidance. And, in additon to this, we have the letter that was written by the deputy Superintendent General of Indian Affairs, Mr. Pedley, the man who negotiated this surrender, warning the public that no transactions of any kind would be recognized, practically telling the public to stand off, and then we have these four men stepping in and buying these lands at whatever they could get them for, on whatever terms and on whatever conditions. These facts justify me in saying that this whole transaction was engineered from the very beginning for the benefit of the few men who secured these valuable lands from the government. Admitting for the sake of argument that the minister's contention was right—which I do not admit—that the Indian refused to sign the surrender unless he got this land to do as he pleased with it, it would be no justification for the government withdrawing its protection from its wards and allowing them to be imposed upon and practically despoiled of the valuable lands that the government had given them. The government, responsible for this surrender, knew

the Indian nature, knew that he could not long resist the allurement of a little money, and that this land would soon fall into the hands of a few land sharks who were ready to pounce upon the unsuspecting Indian. Just as soon as the government removed all these restrictions and said that the Indian could dispose of his land to whom he pleased and for what he pleased, these favoured people, this quartette of patriots, got to work and began making bargains to secure the lands under the best conditions they could. But, unfortunately for the minister, the facts do not bear out what he stated about the Indians refusing to sign the surrender. I have it from reliable Indians that ther was no demand from the band, as a band, that the protection of the department should not be provided for in the surrender. I am told that when Mr. Pedley read the clause already placed in the surrender which provided that an official of the department should supervise all sales made by the Indians, it was objected to by a few Indians, but not by the band. It was not put to the vote, and neither the chief nor one of his councillors objected to the clause being in the surrender. But worst of all, I am informed, that the deputy Superintendent General of Indian Affairs, the man representing this government, who is the guardian of the wards of this country, did not endeavour in any way to explain to these poor Indians, these two or three men who were objecting, that the clause was for their special protection, but rather seemed to take the very first opportunity offered of running his pen through the clause and striking it out. In the face of what has happened it would almost seem that these poor Indians were the paid agents of the men who were watching their opportunity to get hold of these lands, and it seems strange that the man whom the country expected to protect these Indians would yield to that objection and strike out that protecting clause without one word, and leave the Indians at the mercy of the men who wanted to get these lands. Yet, that is what was done.

Now, Mr. Speaker, in proof of this contention I have here among the letters which were brought down by the minister himself, a letter signed by one of the Indian councillors which reads:

St. Peters, September 21, 1909.

Hon Mr. Oliver,—All our Indians are dissatisfied, and are still looking for help from the Indian department, and we the chief and councillors are dissatisfied. For when the surrender was made, before Mr. Frank Pedley, the Indians were asked if they would allow the government to appoint one of their officials to make bargains for them, some Indians said 'No, we can make our own bargains.' But not one of the councillors or the chief, because we want the government to help us, because we, the Indians are like children.

W. H. PRINCE.

Is there any other evidence I could give to the House which would be half as conclusive as this, showing that there was no demand made by the Indians as a band, that the protection should be removed, and that the statement made by the minister in this House was entirely misleading when he said that was the only condition on which he could obtain the surrender of St. Peter's Indian reserve. These Indians declared, as dozens have told me privately, that there was no demand made by the band that the Indian Department should not stand between them and the white man. The Indian knew that he was not capable of handling such valuable possessions, and the duty of the department was after it had given these people these lands, (which I contend was a crime in the first place) the manifest duty of the Indian Department was to see that the Indians were not robbed by a few hungry land sharks. I submit that that is strong evidence to show that the removal of the protective clause in the surrender was not made a condition of the surrender by the band, but that this clause was struck out simply at the bidding of a few irresponsible Indians who were no doubt in the pay of those who did not want any power to interfere between them and their intended victims, the Indians. As I pointed out, there was no effort made by the deputy Superintendent General—who was responsible for this surrender, and who I believe is responsible for this whole transaction—to retain the protective provision in the surrender. It would almost seem there was an understanding of some kind between these men and the men who acquired these lands. The more I see and hear of this transaction the more I am satisfied that the whole thing was arranged so that these lands should pass into the hands of the few men who got them, and a scheme was devised, first, to give them to the Indian, and then to make it impossible for the public to interfere, and these four men were allowed and assisted by the Indian agent to acquire these lands on their own terms and conditions from the poor unfortunate Indians. Well, Mr. Speaker, when the minister was before the committee some time ago I again called his attention to the scandalous conduct of the land speculators, and also to the protests that were entered by the Indians against the whole transaction. I then, two months ago, pressed for an investigation, but the minister flatly refused. However, I learned a few days after that he had despatched his law clerk from the Indian Department with instructions to make a secret or private investigation. On learning this I quite naturally visited the department to

ascertain if this were true. I could not believe it possible, in face of what the minister said to me across the floor of the House, that he would have taken action without at least having given me some little notice, knowing the interest I was taking in the matter. Well, Sir, after visiting the department, and asking a question from one or two of the officials, these men simply shook their heads; they did not know anything about it. When I put the question straight to them: where is Mr. Williams, the answer was; he is away on duty, and when I asked: has he gone to Selkirk, the answer was: I do not know, you will have to see the deputy. I did not see the deputy, I felt it was no use under the circumstances, but the deputy was seen, and the deputy refused to give any information. But I knew that this man had gone to Selkirk and I went to Selkirk myself and I found that the minister had sent Mr. Williams there and that he was making a private investigation. There was no attempt to make a public investigation, no attempt to arrive at the truth regarding these scandalous transactions. What this man was evidently doing—as is borne out by the report which he makes—was simply seeking to get evidence to combat the statements made by me on the floor of the House, and the statements made by the Indians in the letters and petitions sent to the minister. In every page of that report which this law clerk brings down he shows his utter inability to cope with the conditions existing around Selkirk. You might as well send that gentleman to Hong Kong to inquire into Chinese conditions, and expect a proper report, as to send an innocent young man like him in among the land sharks that secured this land. When I went into Selkirk where did I find him? I found him with the Indian agent, the man who had been a party to this transaction; I found him with these land dealers, the men who had been parties to the scandals complained of. Is it any wonder that his report bears the complexion it does. What do you find in this report? You find the Mr. John Smith sold so many acres of land to George Tracy, and according to George Tracy's books he received payment in full. That is the way he wipes out every one of these charges; he goes according to their books. I have no hesitation in saying, Sir, from my place in the House, that as to a large number of these amounts that are charged up to these poor unfortunate Indians they never saw one dollar of the money. Of course, the books were all right as a matter of book-keeping —these men are good book-keepers as results show.

Now, Mr. Speaker, in the course of the criticisms that were made in the House on a previous occasion, the minister stated that he had secured a number of surrenders from different reserves throughout the country, and that in every case the land had been duly advertised and put up to auction. At that time I took exception to that statement of the minister, and in the face of this transaction I was astonished that the hon. gentleman would make such a statement. Surely this transaction must have escaped his memory at that moment, or he could not have made the statement he did. Here was St. Peter's Indian reserve, where they had secured by surrender 48,000 acres of these lands, 21,000 acres of which they immediately gave to the Indians, and through the Indians to their white friends, and out of the balance some 15,000 acres, was sold at public auction. As I have stated, while the surrender called for 21,000 acres, the hon. minister, I presume, knows that it took 23,000 acres to satisfy the Indian claim; and this land was practically handed over by the government, through the instrumentality of the poor ignorant Indians, to a few white men, including one or two party heelers, for less than one-third of its actual value. Now, Mr. Speaker, when speaking before in this House, I made the statement that the chief and council were bribed to betray their band. That is a serious charge to make. The hon. minister took strong exception to it at that time; but he ingeniously endeavoured to place Chief Justice Howell as a kind of buffer between the department and this charge, and to make it appear that if I made a charge of bribery I was making it against him. Now, while I frankly admit that the word bribery is not a pleasant word, and ought not to be used by any hon. member except where it is entirely justified, I believe that before I take my seat I shall have satisfied the hon. minister that I was entirely justified in using that expression regarding this scandalous transaction. In order that we may know exactly how this transaction was conducted, it will be necessary for me to review for a short time the negotiations which took place for the surrender. When Chief Justice Howell went to Selkirk to open the negotiations with the Indians with the view of securing the surrender of the reserve, the chief and councillors would not listen to any proposition of that kind. In fact, they refused to discuss the matter with him. The chief called meetings of the band, and, after explaining to the Indians wht Chief Justice Howell was suggesting, he pledged himself and the councillors to the band on three different occasions, that under no consideration, would they agree to surrender the reserve. So it was impossible for the Chief Justice to make and headway in securing the surrender. But just at this stage the services of one of the well known party heelers of the town of Selkirk were called into his assistance, and this man succeeded in including the chief and his councillors to violate

the pledge they had given to the band, and to meet Chief Justice Howell and arrange terms of surrender. It is now alleged that the consent of the chief and the councillors was secured only after it was agreed to pay these men a considerable amount of money and a large amount of land, in addition to what the average Indian was to get. These were the influences that were brought to bear upon these poor ignorant Indians, who with the cunning of the Indian and the deviltry and cupidity of the white man in their nature, because two of these men are half white. These men were secured by this man and the government officials to assist in securing the surrender. They were purchased to violate the pledges which they had given and to betray the band which had elected them to office. As evidence that these men were paid to betray their band, I submit this letter, which was brought down in one of the returns by the minister. To me it is very strong circumstantial evidence that the statement I have made is absolutely correct. This letter was written by a man named Ernest Rayner, who is credited with having done the trick:

Selkirk, October 17, 1907.

F. Pedley, Esq.,
Ottawa.

Dear Sir,—Please find statement of cash and goods expended by me in connection with the St. Peter's surrender. As the estimated cost was $500, you will see the work was done reasonably. Trusting this will be satisfactory, I remain,

Yours respectfully,
EARNEST RAYNER.

This man, it must be remembered, was not a government official. He was simply a clerk in one of the stores in the town of Selkirk, and one of the leading Liberal workers in the town, a man who was always on hand to do the work of his party. This was the man secured to carry on these negotiations. There is no account on record to show what that money was for. I have asked for the account, and it is not to be found. In fact, the Indian Department very wisely refused to pay it, as I presume the hon. minister knows. But this letter proves that there was some distinct understanding between Mr. Rayner and somebody that the Indian Department was going to make good this $500, which was the estimated cost of the peculiar work he was supposed to do. Rumor had it in the streets of Selkirk, from the time the deal was negotiated, that the chief was to receive $200 in cash, and the councillors $100 apiece. That would exactly account for this $500 which this man claimed from the Indian Department, and which the department refused to pay. Judge Howell refused to O. K. the bill. But the debt was incurred, and the understanding was arrived at by somebody, and this man had to get the money.

How was it done? Well, I have not direct evidence, but I have circumstantial evidence, which is sometimes the strongest evidence a man can adduce. You find that, according to the terms of surrender, the chief was entitled to receive 180 acres of land, and he actually did receive 199 acres. By the same surrender the councillors were entitled to receive 120 acres each, and they did receive an average of 140 acres each. As there were five of them, they just received sufficient to make up about 100 acres which, at the current price, settled among the dealers, gave the $500 necessary to recoup this man for the money he had used to pay the chief and councillors for betraying the band that had elected them to office. I do not see how there can be the slightest doubt in the mind of any one who knows anything about the circumstances that this money was made up in this way to recoup this man for the sum he had spent. What other possible reason can there be? Why should these men have got this extra land? The treaty provided that the chief should get 180 acres, and the councillors 120 acres each. And instead they got this additional land. It is therefore a fair deduction from the facts that it was from this additional land the $500 was provided to pay these men for the betrayal of their trust.

As I have pointed out, the hon. minister (Mr. Oliver) was very much shocked when I used the word 'bribery' in this connection. Let me say now that I can find no other word which can so adequately describe the conduct of the government in this matter, in which it secured the surrender, first, by giving the chief thirteen times and each councillor nine times more land than was given to an ordinary Indian, and then by giving the chief and council money and goods to secure their consent. If this be not bribery, and the most contemptible kind of bribery, of the representatives of the Indians to induce them to betray those who had elected them, then I do not know what the word means. What a spectacle of wisdom of the utter lack of honesty of purpose this whole transaction reveals! None but the new school of Liberals could have conceived and worked out such a contemptible scheme. It is a disgrace to the government, and will cause honest men to blush to think that the government would allow its wards, these poor unfortunate Indians, to be treated in the manner I have described.

After the consent of the chief and council had been secured, let me point out what took place. After several private meetings had been held in the town of Selkirk between the chief and council and Chief Justice Howell and an officer of the Indian Department—I think it was Mr. Laird—and lawyers appointed by this government—for what purpose I do not know, except to get a fee, for they certainly did nothing

for the Indians—this surrender was obtained. All the negotiations took place at these private meetings, and a surrender was agreed upon by the chief and council, who were purchased to betray the band. The Indians, as a band, were not consulted, they knew absolutely nothing about these meetings except from hearing that private meetings were going on, they had a pledge from their chief and councillors that no surrender would take place, and they had confidence in their chief and council, and thought everything was all right. But they were rudely awakened from that feeling of security by the publication of the following notice, which was posted up at four different places on the reserve, calling a meeting of the band to discuss this all important question of the surrender of their homes and the heritage they had enjoyed from childhood and which had been handed down to them by their fathers and grandfathers. Let me read this notice, and I am sure even the hon. minister will be astonished when he hears what I am going to tell him, for I give him the credit of believing that he does not know one-half of the scandalous conduct which has taken place in connection with this transaction. This notice called a meeting of the band at one day's notice, and remember that was a meeting of a band of Indians living on a reserve 80 miles square, and they were summoned to this meeting to decide whether they should surrender their homes. One can well imagine how inadequate a day's notice would be to hold a meeting of that kind to a band covering so large a territory. The notice reads as follows:

To the St. Peter's Band of Indians:

Take notice, that a meeting of the male members of this band of the full age of twenty-one (21) years, will be held at the Treaty grounds of this reserve, on Monday the 23rd day of September, A.D. 1907, at 11 o'clock a.m., for the purpose of considering, deciding and assenting to the release and surrender of the St. Peter's Indian reserve on the terms to be set forth at the meeting.

CHIEF WILLIAM PRINCE.

J. D. LEWIS,
Indian Agent

Dated at Selkirk, this 20th day of September, 1907.

As I have said, only one day's notice was given for these Indians to gather together. I am going to read to the House, in proof of the statement I have made, for I want to show that this whole transaction was not only disgraceful but illegal, and I do not believe that any properly constituted court in this country would uphold that surrender on the conditions under which it was secured—I am going now to read a letter from William Asham, ex-chief of the St. Peter's Indian band, one of the most intelligent Indians I have ever met. Mr. Asham is not an ordinary Indian. This man, if he had enjoyed the advantages of education, would have been another Norquay. He is a man of transcendent ability, every letter from whom is in his own handwriting.

Dear Sir,—The inclosed is the original copy of the notice that was posted one day previous to the time of meeting for the surrender of St. Peter's reservation, effected September 24, 1907. The following is the size of the building where the meeting was held: Length, 29 feet; width, 18 feet. I may point out the building is a government storage, for that reason only about three parts of the building was used for the meeting.

Just imagine how ridiculous, for 200 men to gather in a little space not much bigger than that space opposite the Speaker's chair, to conduct these important negotiations. I have a telegram here from the same source:

Selkirk, Manitoba, January 26, 1910.

G. H. Bradbury,

House of Commons, Ottawa.

Band received one day's notice of meeting September 23. Notices, three or four posted on Sunday, September 22.

Now, Sir, I am told by the Indians, and told by this man, that this notice was not seen until some time after midday on Sunday, and the meeting was called for 11 o'clock the next day to discuss the all-important question of the surrender of this reserve. I have a copy of the original notice here that was stuck up. I have also a declaration here which I wish to place on record to confirm the letter:

Statutory Declaration.

Dominion of Canada, Province of Manitoba.

In the matter of the vote for surrender of the Indian lands in St. Peter's reserve, taken on September 24, 1907.

To Wit:

I, John Flett, of the parish of St. Peter's, in the province of Manitoba, Indian, do solemnly declare that I am a member of the St. Peter's Band of Indians; that the notices calling the meeting at which the vote surrendering the reserve was taken, were not posted up, nor did the Indians know anything about such a meeting until Sunday, the twenty-second day of September, A.D., 1907, just one day prior to the date of such meeting. The meeting was held on Monday, September 23, and duly adjourned until the next day, Tuesday, September 24, but at the time of such adjournment, no notice was given that the vote would finally be taken on Tuesday. Many of the Indians did not see or hear about the notice, and in consequence were not present at the meeting, and did not have a chance of expressing their views or voting. I believe that had ample time been given and the matter properly explained to the band, that many who were at their homes would have turned out and voted against the surrender of their reserve; many of the young men of the band were away from home working at various occupations and did not know or hear anything about a vote going to be taken owing to the shortness of the time given. That I have been told and believe

that some non-treaty men and some minors were counted amongst those voting for the surrender. That in my opinion the vote was most irregular and improper and was not taken according to the regular custom of our band.

And I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893.

Declared before me at the parish of St. Peter's, in the province of Manitoba, this 24th day of March, A.D., 1910.

(Sgd.) ROBERT G. McDONALD,
Commissioner in B. R., etc.

(Sgd.) JOHN FLETT.

I have four declarations of the same nature, but I will not trouble the House with reading them. This is not a party question; this is not a political question; so far as I am concerned it is a question of right and justice, and I say there is no man listening to me to-night but must realize how unreasonable, how unfair it was to call a meeting of that kind, giving the poor Indians only one day's notice to decide whether they would give up their homes where they were born and had raised their families. It is a scandalous thing, and the officials guilty of it and the government responsible for it ought to be condemned, and must be condemned by every honest man in this country.

Mr. ARMSTRONG. Will the hon. gentleman give the names of the other men?

Mr. BRADBURY. I have other declarations here to the same effect. One is signed by Wiliam Sinclair, who, I may say, is one of the most intelligent men of the band. the man that Mr. Williams, the law clerk, sent out by the department to investigate, employed as his interpreter while going round among the band. This man testifies also that only one day's notice was given to call this band of Indians together. Another declaration is signed by William Asham, an ex-chief. Now, regarding the meeting itself, it was a perfect farce; it was conducted as a farce. It was held in a little bit of a room not capable of holding one quarter of the Indians present. There were 289 qualified voters in that band, and there were something like 200 present in the little room, which was not big enough to hold 50 men comfortably. The government party, the men who attended with Mr. Pedley, numbered eight or ten, so there could not have been room for more than 40 or 50 Indians at any one time. The negotiations, I am told, were conducted almost entirely in English, and there was no proper interpretation of the proceedings to the Indians that were inside while the men that were outside knew practically nothing of what was going on except what they learned from their friends through the windows. Now, I want to call the attention of the minister to clause 49 of the Indian Act, which states:

Except as in this part otherwise provided, no release or surrender of a reserve or a portion of a reserve, held for the use of the Indians of any band, or of any individual Indian, shall be valid or binding unless the release or surrender shall be assented to by a majority of the male members of the band of the full age of 21 years, at a meeting of council thereof summoned for that purpose.

Sir, there was less than 38 per cent of that band who voted for that surrender. The law distinctly says that a majority of the band is necessary to secure that surrender. After all that was done the government party were only able to secure a majority of seven of the men who were present. Another matter I wish to emphasize is this, that the young men, the backbone of the band, the men who were earning money, 75 of those young men were absent. Many of them were working on the lake, some were working for lumberers, some were in the harvest fields; while the old men who could not understand the English language were present, and a few of the others.

But the backbone and sinew of the band were not there and without giving these men a chance, without notifying them that this meeting was going to be called or that any negotiations were under way seeking a surrender of their homes, this government allows a transaction like that to be legalized, their homes taken from them, and their lands sold. I say that the matter is not only scandalous, but illegal and it ought to receive the condemnation of every honourable, and thoughtful man in and out of this House. I am informed by reliable men that although this notice calling the meeting was dated on September 20, it was not seen until Sunday, the 22nd, so there was just one day's notice. This fact alone adds to the suspicious nature of the whole nasty transaction, and indicates that the government has been guilty of an act utterly unworthy of any government of this country responsible for the care and protection of the poor unfortunate Indians who are the wards of the people of this country. There is the further fact that although the Act provides that the majority of the Indian vote is necessary to legalize a surrender of Indian lands, less than 30 per cent voted for this surrender. The matter is irregular and illegal, and I am surprised that the minister who presides over this department, if he is aware of all these facts, would for one moment stand for them. It is hard for any hon. member who listens to my voice to-night to believe that such a thing can take place in a country like Canada. We have boasted, and we get the credit of being just to our Indians, and yet this band of Indians have been practically robbed of their

homes, and their heritage by and through the assistance of the government and its agents. There is no doubt that no honest effort was made by the gentleman entrusted with the negotiations for this surrender to secure the presence of the male members of the band who were eligible to vote. The younger men, as I have pointed out, the men of intelligence, of some little education, the men who had some conception of the value of the heritage they enjoyed, were not present, in calling the meeting a time was chosen when these men were out working, and a snap verdict was secured in the absence of the men who would have known better, and would have resisted the allurements, and temptations that no doubt secured even the semblance of a majority that was obtained for that surrender. Everything points to a determined effort on the part of the government to secure the surrender of this magnificent reserve, by fair means or by foul means, and I am bound to say that the evidence I have had before me, and that I am trying to lay before this House leads me to believe that the means used were anything but fair, and were verging very closely on what might be called dishonest. When you take into account the fact that this surrender was not secured at the request of the town of Selkirk, that there was no petition from the town of Selkirk, no demand from the board of trade, that the only demand came from Mr. Jackson, then a member of this House, and a supporter of this government, and that Mr. Pedley makes the statement that he does in his letter that the throwing of these lands into the market was giving to the people what was long looked for, the lands that might be made available for farm, and other purposes, the only parties I know of who were looking for these lands were the men who got them. There was no demand from the town of Selkirk or anywhere else that this reserve should be taken from the Indians. Every hon. gentleman realizes what a small meeting means. The meeting in which this arrangement was completed consisted of not more than fifty men who were able to hear what took place as the building was too small to hold more. The proceedings were in the English language with no proper interpretation, and not one-quarter of that meeting understood half what took place, and I am safe in saying that not one-eighth of the band understood that these men were seeking to secure the surrender of their homes, and to acquire possession of their lands. During the Christmas holiday I visited the reserve, and I found there old people living in houses of which the land buyers had secured deeds. These Indians did not realize that they are not the owners of these houses, they believed that they were still their homes. I say that the whole transaction is a disgrace to the government that has permitted it. The whole surrender was prepared not in a meeting before the band, but in a private meeting in Selkirk with three councillors, and the chief men who had been bought and bribed to attend the meeting. The surrender was drawn up, and put in typewritting, and taken down there to the meeting on September 23, by Mr. Pedley. They did not go down there, and arrange with the Indians. They went there to see if they could get the Indians to do what their chief and councillors had already agreed to, and the manner in which they did it is a disgrace to the men who perpetrated the acts that were perpetrated at that meeting. These Indians were not told the truth, they had nothing to do with it, and when they remonstrated with the conditions of the treaty or surrender they were told that it was all fixed, that it was in writing, that it was all completed, and there was no chance of changing it.

Now, we are told that when this meeting took place it lasted two days. The discussion was conducted for the Indians by ex-chief William Asham, a very intelligent man, who defended the rights of the Indians for two days before the commission before they dared take a vote. The first day's sitting started at eleven o'clock with Mr. Pedley in the chair. Mr. Chief Justice Howell and seven or eight other interested parties were present, and they discussed the pros and cons until four o'clock in the afternoon. Asham then demanded a vote, but, Mr. Speaker, these men who had come to Selkirk for the purpose of securing this surrender by fair means or foul, realized that the opinion of the band, in so far as they could judge, was strongly against the surrender. The consequence was that Pedley adjourned the meeting until the next day. That accounts for the two days meeting that was necessary for these negotiations. There was a good deal of manipulation and canvassing in the endeavour to secure the surrender, the effort going so far as offering to bribe Asham. I am told on the best authority, and I have a declaration which I will read to the House, that when they found that they could not overcome Wm. Asham's opposition, when they realized that they were up against a strong man who had the confidence of his band and who had the intelligence to combat what was taking place, they started to work and tried to bribe this man. When they adjourned for lunch this man was invited by W. D. Harper, one of the councillors, more white than Indian, with all the cunning of the Indian and all the deviltry of the white man in his composition, to go to his house. There were several in the room. After lunch he passed a piece of paper to Asham with these words written on it: What would you

think if we made you equal to a councillor? Would you agree? Wm. Asham tells me that he understood the language and what it meant. It meant this: What would you think if we gave you as much land as we are getting? Would you then agree? Wm. Asham said: No, I could not agree under any consideration without betraying my band. He further says that he then went out of the door and he was told that S. J. Jackson wanted to see him. He says that he told them that he did not want to see S. J. Jackson. Then he walked over into the crowd and he found some one pulling at his coat, and, turning around, found our friend Mr. Jackson. He brought him outside of the crowd, and Mr. Jackson said: Mr. Asham, you are very much opposed to this surrender, are you not? Mr. Asham said: Yes, I am. Mr. Jackson said: Well now, look here, if we make you equal to these councillors and give you as much land as they are getting, I will guarantee to get you the patent within six weeks. Asham turned on him and said: No, Mr. Jackson, I would consider that I was accepting a bribe to betray my band. This man was loyal and refused to be bribed. But the bribery and the effort at bribery did not end there.

An hon. MEMBER. Who was S. J. Jackson?

Mr. BRADBURY. S. J. Jackson was at that time the member for Selkirk. After two days of negotiation and discussion trying to win over the poor, unfortunate Indians by fair means or foul, Mr. Pedley decided that the time had come to take a vote. It was about 4.30 or 5 o'clock in the evening. It is alleged, now, that Mr. Pedley said: We must take a vote, and he stood up in the middle of the room and said: Gentlemen, or rather men—I have an affidavit which I will read to the House later describes it better than I can describe it—But Pedley said I have $5,000 here in my satchel; if you vote for this surrender tonight I will distribute this $5,000 amongst you; if you do not vote for this surrender I will take my bag and go home, and you won't get a cent. I would like to ask the hon. gentleman if he considers that bribery?

Mr. ARMSTRONG. Who said that?

Mr. BRADBURY. Frank Pedley, Deputy Superintendent General of Indian Affairs, the man instructed by the minister to go to Selkirk, and secure the surrender of this reserve, I would like to ask the minister, I would like to ask any hon. gentleman within hearing of my voice, whether or not he considers that bribery. How would a man appear if he stood on a political platform, and made a declaration of that kind to an audience? What chance would there be of that man holding his seat before an honest judge? He would be unseated immediately; he would not dare go into court. But this was not all. These men were desperate, they were bound to get that surrender, and after Mr. Pedley had made that statement he said: Now the time has come to take a vote; this room is too small; get outside in the field among the rest. Two-thirds of them were outside. These men went out and before they divided the Rev. John Semmons, Indian inspector, stood forward, held up his hand, and, speaking loudly in the language that the band understood, the Cree language, he said: All you that want $90 go to that side, indicating the side on which the councillors, the chief, Chief Justice Howell and Mr. Pedley were standing, and that side was counted in favour of the surrender. Yet, in spite of these two facts, first, the statement by the Deputy Superintendent General of Indian Affairs that he had $5,000 to distribute amongst those people, if they voted for surrender and the direction of Mr. Semmons that if they wanted $90 they should go to one side, they Pedley and his party only succeeded in securing seven of a majority. I have evidence here in my hand to show that non-treaty men who had no right to vote were counted amongst those favouring the surrender, and that minors, young men, also put in their votes. In the face of this evidence it must be clear to every man in this House that the manner in which the surrender of St. Peter's Indian reserve was secured shows that this was one of the most scandalous transactions that has ever taken place in this country. In view of the facts that I have tried to lay before this House fairly, I would ask the minister whether he thinks I was justified in using the word 'bribery' in this connection? In view of the transfer to the chief of thirteen times, and the councillors of nine times as much land as the ordinary Indian got, besides payments of cash and goods to these traitors to betray their band, the chief and council, to agree to the surrender in the first place, the statement made by Mr. Pedley, the Deputy Superintendent General of Indian Affairs that he would distribute $5,000 among them if they would agree to the surrender, and the further statement of Mr. Semmons, which was altogether misleading to the effect that all you who want $90 step to that side am I not justified in saying that there is absolute proof of the bribery and trickery that were committed during this transaction? I am bound to say, Sir, that I think the whole transaction was one of the most contemptible pieces of trickery ever perpetrated on the poor Indian and the government responsible for it is utterly unworthy of the confidence reposed in it by the people of this country. The minister responsible for this department has been appealed to time and again by my-

self to investigate, and he has been appealed to time after time by the Indians, and he has promised to visit that reserve, but he has always failed to do so. The minister now must take the full responsibility, and the government through one of its departments has been guilty of a cowardly, and contemptible act in connection with securing the surrender of the St. Peter's Indian reserve. That there may be no misunderstanding about this $5,000, I hold in my hand Mr. Pedley's letter to the minister in which he says :

> Five thousand dollars was left at the time of the surrender with the Indian Agent Lewis and Inspector Semmons to distribute to the Indians of the band. Part of this was done on the spot at the time of surrender and the balance will be distributed from time to time as the parties entitled to it appear before the agent for that purpose.

An hon. MEMBER. Whose money was that?

Mr. BRADBURY. It was the people's money. That money was taken from the public treasury, and taken to Selkirk for the purpose of securing that surrender. There is no doubt that since that land has been sold it has been charged up against these unfortunate Indians and taken out of their money. Now, to give you some little idea of how these land transactions were negotiated and all the contemptible trickery that was resorted to to beat these poor Indians even out of the land that the government had so prodigally and wickedly given to them—because I hold the government had no right to make the Indian competent just for a few weeks or a few months to deal in land; I hold that the Indian was not competent; I hold that the Indian was just as much a ward of the government during the time that surrender was going on as he ever was and as he is to-day. I have, Sir, a letter in my hand from the Indian agent, Mr. Lewis, the man who was part and parcel of this whole transaction, the man who stood in and assisted in these land transactions, because I want to say that these land dealers who bought these lands for less than one-third of their value, did their dealing right under the Indian agent's nose. There was a building with the Indian office in one part of it, Mr. Heap, the lawyer, in another part of it, and the land office in another part of it. If the patents could not be found in the Indian agent's office, they would go to the lawyer's office, and if they could not find them there, they would go to the land agent's office, and invariably they would find the patents in the possession of the land agent and not the Indian agent. I have no doubt that the minister will refer to a report by one of his Indian agents, who made an investigation, whitewashed this wolf Tracy, who practically robbed these poor Indians. I will tell you what took place in connection with that man. As soon as he found out these poor Indians were going to be allowed to sell these valuable lands, he immediately endeavoured to get them in debt. That is not a hard thing to do, for the Indian will take anything you give him. He would go to the Indian and say: John put me up 10 tons of hay, after he knew the man was going to give him 32 acres of land. If he knew he was going to get 80 acres of land, he might ask him to put up 20 tons or 40 tons. He would then advance the Indian a little money $10 or $20 and would ask the Indian to touch the pen, when he Tracy would sign some paper. No explanation given, it turned oue to be a power of attorney. The Indian would get the hay, and this man had signed for the Indian a power of attorney, the strongest power of attorney that any legal man in the city of Winnipeg could draw, which gave him absolute control of the Indians land. The Indian would come in the fall and say: Tracy, I have the hay, and Tracy would say: I don't want the hay, you had better keep it yourself. There would be no understanding; Tracy would charge that man $8 a ton for the hay that the Indian had made on his own land. Now I am looking into the faces of some honest men on the opposite side of the House, and I know they will be astonished—I am looking now right into the face of the Minister of Railways—I know that some of these honest men opposite will be astonished when I tell them that in some of these accounts there is $400 charged for hay that George Tracy was supposed to sell the poor Indians. The Indians did sot want to buy hay, the Indian made the hay on Indian lands, and Tracy first gave him an advance of about $2 a ton to put it up. Then, after the Indian got it up, Tracy did not want it, and the Indian kept it and George Tracy charged him $8 for keeping it. And, Mr. Speaker, these accounts were presented to the men who were getting the land and every dollar was paid to Tracy, showing there was collusion between the four men. There were only four men who had any transactions to any great extent. Out of the 23,000 acres that the Indians got, four men got nearly 18,000 acres of it. Some of the storekeepers in the town got a few acres, but these four men got 95 per cent of these lands. There is no Indian I have met, or very few of them, who admit that they ever received anything like $5 an acre for their land. Every one of these men who got the lands were good strong supporters of the present government. For the information of my friends here, I want to say that I do not know one Conservative who ever secured an acre of these lands except two storekeepers in the town of Selkirk, and these

two storekeepers secured a few acres in connection with some of the supplies that were given to these land dealers. The land dealers were very shrewd men; they wanted to get on the good side of the people of the town of Selkirk, especially the merchants, and they fixed the Indian in this way. When the Indian got anything, they would give him an order on the store for, say $10, on the understanding that he would get $5 cash and the other $5 he had to take out in trade. In this way the storekeepers got to understand something about the transaction and they made small deals themselves, and got a few acres of this land. The four dealers who got this land were Wm. Frank, of the city of Winnipeg, real estate dealer; a man named Funk, an American, who was brought in by the Indian agent; a man named Fred. Heap, a Liberal lawyer, who got $1,800 in connection with this treaty out of the Indian funds, and this man George Tracy. These were the four men. Now, what does the agent, Lewis, say about these Indians? The hon. minister, speaking across the floor of this House a few months ago, sought to lead the House to believe that these men were thoroughly competent to transact their own business. He said they were just as shrewd as the average man in this House. What does the Indian agent say? He says in a letter addressed to the Indian Department:

> While a large percentage of the St. Peter's Indians resent interference in their business, there is, I believe, a majority of them too illiterate and helpless to manage a real estate sale, especially where the payment of the land extended, as in most cases it did, over a period of one year, and was made by orders on stores and with truck and small cash payments. The Indians sold only in small parcels and at different prices, and not always to the same buyer. The Indian gave a statutory deed as soon as he sold setting forth the price. He received a small payment down with the promise of the balance as soon as he was able to deliver the patent. The selling began as soon as the locating started. Thus a year elapsed between some of the sales and the receiving of the patent. There was nothing expressed in the deeds as to future payments. In fact as far as anything was set forth in the deed the Indian was paid in full. He was dependent entirely upon the honour of the buyer for the fulfilment of the verbal contract. You can readily understand that the accounts extending over so long a period have become long and complicated. This shows however scandalous it was to give these poor Indians lands to do as they pleased with.

In face of the letter that was written by the Superintendent General of Indian Affairs, and surely he would not dare to write such a letter without instructions from his chief—warning the public that no transfers would be recognized, these men, when they got the poor Indians to come into their office and sell their lands, and to receive as they thought an advance of a few dollars on the sale, actually got them to touch a pen and they then signed for the poor ignorant Indian a statutory deed, and that deed was registered just imagine that: right under the nose of the Indian Agent, the man paid by this country to look after and protect the wards of the people, these men were allowed to take statutory deeds from the Indians for land worth from $500 to $1,000, on advances of $10, and any money they got after that was in small payments of $5 or $10. Nobody knows what the Indians got except the man who paid it out, and they have the audacity now to come forward and say that the books show that the Indians were paid. Why, any man who has anything to do with transactions of this kind knows how easy it is to arrange books to show that an Indian got full pay when he did not get perhaps 25 per cent of what was coming to him.

Now, Mr. Speaker, I am going to refer to another Indian Agent, Mr. Swinford, who corroborates what I stated in the beginning, that the Indian chief and councillors were the paid agents of the land buyers. I stated that just as soon as Mr. Frank, the real estate agent, came back from Ottawa, he started to purchase lands, the first thing they did was to secure the assistance of the chief and councillors. In that way they were able to get at the poor Indian. I have a letter from Mr. Swinford in which he said:

> It must be remembered that all the land buyers used the chief and councillors of the band as interpreters and as agents to bring Indians to them and induce them, if possible, to sell their land, and in return these interpreters and agents were rewarded with $5 or more for each transaction in which a transfer of land took place.

In the face of this whole transaction, every hon. gentleman must see that these Indians have been unfortunate enough to have been tricked through the assistance of their own chief and councillors; but the government and their agents are the men who must take the full responsibility.

I am going to read a sample case from an authority which the hon. minister will hardly feel like disputing. I hold in my hands a letter taken from the returns brought down by this House, which will give some idea of the incompetence of the Indian. It is from A. B. Hudson, of Hudson & Howell, a partner of Chief Justice Howell's son, and is as follows:

Winnipeg, Sept. 7, 1909.

The Honourable Frank Oliver,
Indian Department,
Ottawa, Ont.

Dear Sir,—Messrs. William and J. W. Asham, two of the Indians entitled to allotments in the above reserve, called on me and asked me to write to your department with

reference to their claims. It appears that J. W. Asham was entitled to a grant of ninety-six acres under the settlement of allotments in the above reserve. On these ninety-six acres were farm improvements made. In the month of April or May, 1908, one G. H. Funk, of Selkirk, induced Asham, while in a state of intoxication, to make a sale of sixteen acres of the above parcel at $5 per acre. Asham, however, was aware of what he was doing and it is doubtful if a court could set aside the transaction. Shortly afterward a second sale of forty acres at the rate of $5 per acre was made to Funk. Asham was then also in a state of intoxication but apparently understood very shortly after the nature of what he had done and did not at once repudiate the sale.

Subsequently, on the 4th September of last year, Asham was taken up in Selkirk for being drunk and locked up. Funk went to him in the jail and tried to prevail on him to sell the remaining forty acres for which he agreed to pay $12.50 an acre because the buildings happened to be on this particular parcel. During the day Asham was released, but while still drunk was induced to sign certain documents. A few hours afterwards William Asham, above named, came and discovered what had happened. He then took charge of his son, J. W., and on the latter becoming sober went with him to Funk and returned the $15 which Funk had paid on account.

It appears from the statement of William Asham, who is a very intelligent man, that similar transactions have been entered into with a large number of the Indians on the above reserve. The land which has been bought at $5 an acre is worth in the neighbourhood of $20 or $25. The Indians are quite incompetent to look after their own interests and none of them can afford the money necessary to carry on lawsuits to retrieve their possessions. Some three or four have been instituted, and I have got from Mr. H. W. H. Knott a letter showing the position of the suits carried on in his office.

From the above statement it would seem that some support should be given to the Indians to carry on these suits. I should be glad to know if your department can do anything to assist in the matter.

Yours truly,
(Sgd.) A. B. HUDSON.

This man states that these bargains were made with these men when they were drunk, and that one of them was made in the lock-up. One was made right in the lock-up where he got his man to agree to sell these lands. The Indian Asham came to me himself and, he said to me: My son has been robbed of his home; he had beautiful land, land worth $30 or $40 an acre, when he was drunk he went to Selkirk, and the land dealers got around him, and got him to give them his land. I was willing to let them take the first forty acres they got from the boy, because I thought it served him right for getting drunk; but when they went to the jail and bought the last piece of land from him, his house, farm and everything he owned, and got him to sign it all off, I thought that was something which could not be borne. His wife came to me crying, and I went to the jail, and took out the boy, and we went to Funk's office, and I offered to Funk the $15 which he had advanced my boy, and I said to him: This is my son's wife, you have taken his farm, and all that he has, here is your money back, give him back the land. Funk said no, I have got the land and intend to keep it, and he did keep it.

That is one of the things I asked the hon. minister to investigate. This is one of the many scandalous transactions connected with this whole matter. But the minister told me there was nothing to investigate, that the Indian had made his own bargain and must abide by it. In other words, that he had made his bed and must lie on it. This is the way these poor unfortunate Indians are treated, whom the people imagine this department, which is costing the country millions of dollars annually, is protecting and looking after.

An hon. MEMBER. What was the answer to the letter?

Mr. BRADBURY. It was simply a letter written to the department asking if the department would assist them in going to court, and the answer was that the department could not interfere. These transactions became so notorious that the Lands Titles office at Winnipeg, on the advice of two justices of the King's Bench—two Liberals—the registrar general of Manitoba refused to issue a title on any one of those patents. The advice was that, so far as these two justices could gather, the land had been taken fraudulently from the Indians. The consequence is that these patents are lying to-day in the registry office at Winnipeg which refuses to issue a Torrens title in exchange for it. But these parties had their titles registered at Selkirk, and secured themselves in that way. The Lands Titles office at Winnipeg, however, under the advice of two justices of the King's Bench, has refused to recognize these patents, and issue licenses.

Just to prove that statement, I am going to read another piece of Lewis's letter to the department:

July 5, 1909.

On account of the irregular size of the allotments and the inequality of the divisions of the land those who purchased have applied to the Provincial Land Titles Office for a title under the Torrens system getting certificates for quarter sections of the land removing what at present might be described as a patchwork of titles to a section.

By request on the 29th inst., I went up to Winnipeg and had a conversation with Mr. Macara, the registrar of the Provincial Lands Titles office. He told me that he objected to granting certificates of title to these lands unless he was thoroughly satisfied that the Indians were fully and satisfactorily settled

with, that he had been warned by two justices of the King's Bench that satisfactory settlement had not been made in all cases and from that and other reports he could not issue any more titles unless some steps were taken to assure him that every applicant to him could show him positively that there would be no after claims upon the land.

This is from the Indian agent, J. O. Lewis who corroborates what I have said, namely, that this transaction became so notorious and scandalous that the Land Title office at Winnipeg refused to issue a title. That was the advice that these two judges gave to Mr. Macara. Here is what he said:

However, aside from the attitude that I assumed with Mr. Macara, I am of the opinion that it would be advisable to take advantage of the position he assumes and the desire of all the purchasers to get Torrens certificates to arrange for a supervision of these accounts. These people are wards of the government and I assume that it is no desire of the department to leave them entirely to themselves to suffer any injustice even if they have so wilfully insisted upon it.

I do not think I need say a word further to demonstrate that the whole transaction bears on its face evidence of the fraud I have described. There has been no attempt at meting out justice to these poor Indians. From the very beginning of the negotiations the effort has been to get these lands by fair means or foul. Now, this letter has a list of the purchasers, and I will put it on record. The biggest purchaser was the Selkirk and Northern Realty Company, the manager was Mr. Wm. Frank. That company was formed after Wm. Frank had secured nearly all the lands the company has at the present time. That company was composed of Capt. Wm. Robinson, a Liberal, of the city of Winnipeg; Wm. Frank, another Liberal; F. Heap, also a Liberal, of the town of Selkirk; Clark, M.D., Winnipeg; McPherson, lawyer, Winnipeg, and others, all Liberals.

Of the 18,000 acres sold by the Indians it is safe to say that the first two firms on the list bought 14,000. F. Heap bought 1,200 and Tracy about the same amount.

Making about 16,400 acres at the time that these four men had purchased. The other men that Lewis states had made some purchases of small amounts were the following: C. Finkleman, storekeeper, of the town of Selkirk; C. Howitz, Jno. Morrison, Millidge Bros., E. F. Comber, E. Raynor, James Monkman, Colin McIvor, Wm. Fidler, Geo. H. Fox.

For the information of this House, I may say that out of all these men there are just two among them that might be classed as Conservatives, and they secured a small acreage; but ninety-five per cent of this land passed into the hands of men for whom apparently this whole transaction had been arranged. Now, it was distinctly stated by Mr. Pedley's letter referred to that no transaction would be recognized until such time as the patents were issued. I hold in my hand a statement of a few of the transactions as they stand in the lands titles office in Winnipeg to-day, which will prove that in nearly every one of these cases the land was bought and bargained for, and the deed was secured from six to nine months before a patent was issued by the Crown. I hold that in the face of the letter that the department wrote, the department must have known of the facts before these patents were issued, and the department had ample opportunity to protect these Indians and see that these patents went into the hands of the rightful owners. Now, I state formally to the hon. minister that ninety-five per cent of the patents issued by the Crown went directly into the hands of the land dealers and not into the hands of the Indians. I say that not ten per cent of the Indians ever touched their patent or ever saw it. I will put a few of these on record, a few of the transactions made by Mr. Tracy:

1. Application 21522, lot 27, St. Peter's, B. & S., dated 25th June, 1908, Alex. Fielding to George Tracy. Patent dated 9th December, 1908. Crown to Alex. Fielding, lot 28, St. Peter's, B. & S. dated 16th August, 1908, Wm. Sinclair to George Tracy. Patent dated 27th February, 1909, Crown to Wm. Sinclair.

2. Application 21542, lot 74, St. Peter's, B. & S., dated 18th July, 1908, George Stevenson to George Tracy. Patent dated 15th December, 1908, Crown to George Stevenson.

3. Application 21592, part of L. S. 5 of section 24-15-4 east, B. & S. dated 25th February, 1908, Mary Prince, chief to George Tracy. Patent for same dated 25th November, 1908.

4. Application, part of lot 76, St. Peter's, B. & S., dated 3rd September, 1908, Benjamin Thomas to George Tracy. Patent dated 15th December, 1908, Crown to Benjamin Thomas.

I will not take up the time of the House by reading all of these, but out of these 410 patents issued to the Indians, I think it safe to say that 400 were issued all the way from three months to a year after the Indians had disposed of their land. I am satisfied that a large percentage of these deals were secured before there was any proper survey or allotment made. What does that mean? Simply this, that there was a blank deed taken, and it was filled in and dated afterwards. There is not a question in my mind that a large percentage of those transactions were worked out in that way; and this was done right under the nose of the Indian agent, next door to his office, and done with his connivance and knowledge. And still the department says that there is nothing to investigate. Now, I wish to draw the attention of the minister responsible for this transaction to a discussion we had in this House in which he gave me a friendly lecture for

using language that he said was not justified in regard to this transaction. He told me that when I talked of bribery I was not well advised. I have his own language where he said:

Mr. OLIVER. Again my hon. friend has used the word bribe and used it in connection with the distribution of land among Indians. Bribe is an ugly word. Whoever gives a bribe must be responsible, and whoever makes a charge must be equally responsible for his accusation. If the giving of the land was a bribe, that was given by Chief Justice Howell.

Some hon. MEMBERS. No.

Mr. OLIVER. Undoubtedly. There was no other authority to give it or to make the arrangement, and the arrangement was made open and above board. It was considered fair and right that the chief and councillors should get a larger share of the land than the other Indians, and my hon. friend is not well advised in using the word bribe in connection with that part of the transaction, and he must take the responsibility of having accused the chief justice of bribery.

That is the minister's own language in this House. He stated that if there was any land given it was given by Chief Justice Howell, and that he was the man who must have committed the bribery. Now, I want to tell the minister what he must know already that it was not Chief Justice Howell who gave this land, he did not give one acre of this land. He made a recommendation, and I have his report here in which he says:

From time to time I approached the men for the purpose of inducing them to surrender the reserve and take new ones. The negotiations continued for many months.

This shows it was impossible for Chief Justice Howell to give land to these men. These men did not want to surrender the reserve. The negotiations continued for several months. After many proposals and counter-proposals had been discussed the matter finally culminated in a deed of surrender, the terms of which are in writing. He says:

Without giving further reasons for my urging the surrender, and without further description of the negotiations——

I do not think he would care to describe fully or fairly the negotiations in writing—

I can only say that they were the best I could get, best for the government and for the Indian, and without any hesitation I recommend that carrying out of the same.

He did not carry them out, he recommended the government to carry them out. In another place he says:

I assume that the surrender will be carried out, and I am therefore relieved from the burden of finding the amount of damages due the band for the grievances above detailed.

This shows that Chief Justice Howell had nothing to do with giving the Indian's lands except that he made the recommendation, and I have here a letter from another gentleman; the deputy superintendent general, whom the minister dispatched to Selkirk to do this very work, to secure a surrender. Here is what he says under date October 26, 1907:

Pursuant to your instructions I left Ottawa on the 17th ultimo, and reached Winnipeg on the 19th ultimo, to take up with the St. Peter's Band of Indians, near Selkirk, the question of the surrender of their reserve at that place.

When this reserve, consisting of about 55,000 acres, was set aside in 1871, provision was made that the rights of the parties holding lands within the boundaries of the reserve should be protected, and as a result of this some 5,000 acres have been patented to parties other than Indians. In order to settle the remaining outstanding claims, Chief Justice Howell, of Manitoba, was appointed a commissioner, in November, 1906, for this purpose, and from several interviews with him I judged that there would be from 1,500 to 2,000 acres still to be patented, thus leaving as belonging to the reserve proper, about 48,000 acres. This was the area that I dealt with in my negotiations with the Indians for a surrender.

After several days' negotiations, the Indians surrendered upon the following terms.

Who made the surrender? The minister himself is directly responsible for this surrender. He instructed his Deputy Superintendent General to proceed to Selkirk and conduct the negotiations for surrender according to this memorandum, and when the minister warned me across the floor that I was not well advised in using the word bribery and said that if bribery had been committed it was Chief Justice Howell who committed it, he will realize now that he made a statement that was hardly justified. The hon. gentleman stated with some force, force enough to make some of my own friends feel that the statements I made were hardly tenable, that the patents had been made out in the Indians' names and had been handed to the Indians. He said:

As to the assignments from the Indians to the purchasers of their lands, the House and the public were informed that no assignments would be recognized by the department, and in every case my information is that the patent was made out to the Indian and not to anybody else, and it was handed to the Indian. Now I ask the House in all fairness how is the Indian Department to be made responsible for the disposition that the Indian subsequently made of that patent, a patent which he received under the agreement of surrender negotiated as I have stated? It was his to do with as he pleased. It may be that it was not proper to give him a patent with which he could do as he pleased. But that was a part of the terms of surrender, negotiated as I have said, on the responsibility I have explained to the House.

I have read here declaration after declaration stating that these men have never

seen their patents, never made an application for their patents, and never signed a receipt for their patents. I have talked to dozens, and with few exceptions they say: Mr. Bradbury, we have never seen our patents, we have never made an application, we have never signed a receipt for them. In the face of these facts the minister was not well informed when he stated that the patents were made out to the Indians and delivered to the Indians. I believe the patent was made out to the Indians as it could not be made out in any other way, but that it was delivered to the Indian I deny; the Indians, with few exceptions, never saw it, and further, the patents sent to this Indian agent, the man who was supposed to stand between the Indian and the land buyer, were handed not to the Indian, but to the land buyer. I have 30 or 40 declarations which the minister can have, many of them stating that the patents were seen in Frank's office or in Funk's office or in Heap's office, but seldom in Lewis' office. Some thought they had a balance coming to them and went to the offices for it. They were asked to sign a receipt for the patents and on refusing to do so they were shoved out of the office. The land buyers kept the patent, the receipt was signed all right, but it was not signed by the Indians. The minister tried to make it appear to the House that the lands sold by auction were sold in larger parcels than the land sold to the Indians, that is one of the explanations, that the land was sold in 16-acre lots. The consequence was that land sold in quarter-sections would bring better prices than Indian lands. He said:

As to the difference in price between the land that was sold by the Indians to private parties and the land that was sold by auction, it must surely appear to any one that little patches of land in areas of 16 acres do not have the same value in a farming country such as Manitoba as an area of 160 acres.

Mr. FOSTER. No, if they all remain 16 acre areas. They were not allowed to remain in 16 acre acreas.

Mr. OLIVER. They were allowed to remain in 16 acre areas. If I bought 16 acres off you and 16 acres off another man and 16 acres off another man and so on. I have to take my chances of being able to get those different parcels brought together so as to make a single block. Does my hon. friend suggest that that land would be as valuable to me as if I could have bought the whole 160 acres in one lot?

Mr. FOSTER. Yes, if you knew you could get it all put together.

Mr. OLIVER. How could you know? There was no way you could know. If Brown, Jones and Robinson each held single patents for 16 acre lots of land, how are you going to ensure that Brown, Jones and Robinson are going to lump their sections together at your convenience, unless you pay them for it? So I say if that land was sold in blocks of 160 acres it is surely more valuable than the land that was sold in 16 acre pieces.

Mr. BRADBURY.

What is the inference to be drawn from that? The inference drawn by the minister was that all these Indian allotments were sold in 16-acre lots. The minister knows better to-day. He may not have known then, I do not think he did, but I want to state to the House that the Indian lots averaged within a few acres of the same size as land sold by public auction. The allotments to heads of families were 80 acres and suppose there were 400 other allotments and that there were 23,000 acres that would divide up into something over 58 acres to every patent; so when the minister made that argument in the House it was entirely misleading and calculated to entirely mislead the House and the country into the idea that the Indian lands were sold in smaller parcels, while the land sold by auction was sold in large parcels.

Speaking of the receipts for patents, I am forced to read another letter:

St. Peter's, December 14, 1909.

Without any doubt the majority of St. Peter's band of Indians never made applications for their patents and how could they sign receipt for such patent which they never saw.

With regard to the sale of land made by Indians of St. Peter's, Frank, Heap & Funk, and others bought land before even the land was subdivided; they were the party that selected the choice land. Of course, they had the chief and councillors under their thumb to help them out in the selection of land. When buying they were careful to have a certain Indian that would sell to have his name to a particular piece of land. At this time it was impossible to describe the land properly. It is most likely they waited until such time the subdivision was made or after the issuing of patents and then made out a proper deed.

That is exactly what is done. I think this Indian has summed it up pretty well, because it is an Indian that has written this letter.

The Indians that did not want to sell were debarred from securing the choice land, for the reason as above stated.

Every acre of these Indian allotments was picked. The Indians who had been given allotments had the first choice out of this 48,000 acres, so that it was picked land.

I wish to point out several instances: James William Asham was working at Fisher river under the employ of the Indian Department; during his absence his patent came at the Indian office. I went up to the Indian office several times and made inquiry whether the patent was there. I said then that they were aware that the boy was away from home and that no one was to be allowed to take the patent away from the office until such time the boy would come. When he came we went to the Indian office after the patent but to our annoyance no patent was to be found; couldn't even get any information who took it away.

Frederick Asham was out at Lake Winnipeg, while being away his patent came out at the Indian office; on his arrival went to the Indian office for said patent and found that some person had taken away the patent; then demanded who this person was and who would dare to do the likes without first obtaining his permission. Finally he received a copy of a receipt of his patent, signed by William Henry Prince, councillor. I saw the copy of the receipt myself.

I have no hestiation in saying that these receipts for these patents that are in the department to-day purporting to be signed by the Indians are, in a majority of cases, forgeries. There is no question about that. They were never signed by the Indians themselves, knowingly. Here is one case, and this man goes on to say:

I mention these two persons in order that you may know that it was a matter of impossibility to sign receipt of receiving their patents from the hands of the Indian agent. Many more instances similar to this could be brought to light if the matter was to be investigated.

I have already a copy of a letter ready for signatures, whenever is completed will forward same to your address.

(Sgd.) WILLIAM ASHAM.

This proves the statement I have made that neither an application for these patents was taken or a receipt given, and yet the Indian agent, upon whom the minister, I presume, depends to see that these things are done, is still retained in office at Selkirk. During my campaign, that man told me on the train that he had resigned his position; yet, he is drawing his salary whether he is doing the work or not.

Just for a few minutes I want to refer to the auction of this land. Fifteen thousand acres of this land were sold by public auction. I have a letter from the department which tells me that the average price secured for this land was $5.68 per acre. Further on the writer of this letter says:

I may say that the average price of the lands sold by public auction at Swan lake on the 9th ult. amounted to $17.62 per acre.

This land at Selkirk, less than 26 miles from Winnipeg, was the best available land in Manitoba. Swan lake is nearly 100 miles away from Winnipeg, and yet land there brings $17.62 per acre as against $5.68 per acre at Selkirk. The minister stated that these auctioned lands were sold in quarter-sections. He must know better now. To quote his own language:

Mr. ARMSTRONG. May I ask the minister if the 22,000 acres that were sold by auction were all sold in bulk and at one time?

Mr. OLIVER. They were all sold by quarter sections but at the one auction sale, and in sixty or seventy parcels.

What are the facts? The land was sold, not in fifty or sixty parcels, but in 185 different parcels. The average size of the parcels was not any greater, or very slightly greater, than the average size of the Indian allotments, and to prove that I will just read for the minister's information, and for the information of the House, from a return that was brought down and laid on the table by the minister showing the size of a few of the parcels:

Statement showing lands at St. Peter's reserve sold by auction on the 16th December, 1908, giving name of purchaser, area and price.

No.	Acres.
107	20.31
112	51
116	21
119	38
124	34
127	30
146	17
233a	10
228	10
227	8
226	6

I could go through the whole list and show the same thing. But, I want to say to this House that every statement that was made when this matter was discussed by the minister was altogether contrary to the facts, and were entirely misleading. I think that the minister was misled himself; I do not believe that he did it intentionally, but, I repeat that every statement that he made was misleading. Regarding the time at which this land was sold, and to show how this whole scheme was worked so that this auctioned land would not bring any more than the Indian land, let me tell the House how it was safeguarded:

Mr. SCHAFFNER. At what time was your auction held?

Mr. OLIVER. In the latter part of October or early in November.

Mr. BRADBURY. That is just as misleading as the other statement. The fact is that the sale was held in the middle of winter, the 16th December. Imagine holding an auction sale of 15,000 acres of land in Manitoba in the middle of the Manitoba winter, with the ground covered with snow, and nobody able to see the land. It is a most ridiculous proposition.

Mr. HENDERSON. Coon coats were in order.

Mr. BRADBURY. Yes, every man of them there was in a Coon coat. I quote the following from the proceedings of this House:

Mr. STAPLES. Will the minister advise us how long these lands were advertised and in what papers?

Mr. OLIVER. I am informed the sale was advertised in the Toronto 'Globe,' the Winnipeg 'Free Press' and the Selkirk paper, and the advertisement was continued for a period of from four to six weeks.

Another misleading statement. That land was advertised for just six days, and not six weeks in the Toronto 'Globe,' and in the Winnipeg 'Free Press.' The Toronto 'Globe,' advertisement ran from the 23rd of November to the 28th of November, and between the 28th of November, and the 16th of December not a word was said about the sale. The advertisement was published in the Winnipeg 'Free Press,' on the same dates. In the face of this can any honest man argue that there was any attempt to secure a reasonable or fair price for these lands. Does not the whole transaction on the face of it demonstrate that it was arranged that these lands should fall into the hands of a few men who were on the ground ready to buy. The fact is that of the 15,000 acres of this land sold, every acre with the exception of 1,015 acres went to the six men who were buying the Indian lands. There has been a question between the minister and myself as to the value of these lands, and an effort has been made to show that this was poor land. I have taken some trouble to ascertain the facts, and I shall lay them before the House. I quote from 'Hansard':

Mr. SCHAFFNER. Does the minister undertake to say that he considers $6 a fair price for the land?

The minister was arguing that these lands had been auctioned, and realized $6 an acre—he was near it, they realized $5.58.

Mr. OLIVER. Yes, I think that any land advertised in the public press for a reasonable time and offered for sale within a distance of 25 miles of the city of Winnipeg is absolutely certain to bring its full value at that particular time.

See how careful the minister is. I agree that if the land was sold at a reasonable time and advertised fairly it would bring its price, but when it was sold in the middle of winter it was not sold at a reasonable time. As I have said these lands are situated on the Red river which passes through the heart of the reserve, and the banks of which are ten or fifteen feet high, and eighty-five per cent of the land is what is called first-class. It is a perfect garden. We boast of that land in the Red River valley as the best land in Manitoba, and still there are men who are trying to decry it for their own purposes. To show what these lands were worth I quote from the report of the Indian agent John Semmons:

St. Peter's reserve has some of the best land in the province of Manitoba. It has the advantage of being very near to an excellent market; it also has the best shelter from the north and west winds offered to any locality. It is safe to say that properly cultivated it might produce hundreds of thousands of bushels of wheat per year.

John Semmons again says:

Mr. BRADBURY.

One seldom sees even in this wondrous west better wheat-growing land than can be found in this agency.

Chief Justice Howell in his report says:

This reserve is in the main excellent farm land and the adjoining lands are fairly well settled and cultivated and the town of Selkirk adjoins it on the south side. Nearly all the Indian land is good.

When this discussion came up first I wrote to the municipal clerk at St. Andrews in the municipality this land is situated in, and I asked him to give me a statement as to the assessment of this land, and as to the value of the land, and he writes me and gives me two pieces of information. The first was this: That the Indian Department that has given this land away for less than one-third of its value, when they were approached in 1906 by the municipality of St. Andrews for the purpose of purchasing a right of way through the reserve that was going to be as much accommodation to the Indian reserve as it was to the Clandeboy district, the department sold 40 acres of this land to the municipality at $20 an acre and a cheque was made out payable to Mr. Laird, and endorsed by Mr. J. O. Lewis for $813.60. I have another piece of information signed by John McDougall who is clerk of the municipality of St. Andrews in which the greater portion of the reserve is situated:

I have your letter of the 23rd inst., respecting valuation of land in that part of the Indian reserve within this municipality and beg to say that the assessment roll for 1909 in which these lands first appeared as taxable shows a flat rate of $7 per acre and is based on a 33⅓ per cent valuation. As to particulars I would refer to A. C. Clare, P.O., who is the regular assessor.

Showing that according to this man's valuation the land is worth $21 an acre. Here is a letter from the assessor:

St. Andrews, Manitoba, January 6, 1910.

Geo. H. Bradbury, M.P.,
Government Buildings, Ottawa.

Dear Sir,—With respect to your inquiry about the value of St. Peter's lands, I might say that in 1909 I assessed these lands at $7 per acre, which is on a basis of one-third of their real value and which is a flat rate all through the municipality. The reason that they are not assessed at their value is on account of the Drainage Act which will not allow the assessor to raise the value on land inside the drainage district, and as a large percentage of the municipality is composed of reclaimed lands which are now settled on we consider it an injustice to assess the other portions at their real value when we are not allowed to raise the assessment in the drainage district, which was formed fifteen or sixteen years ago, and were then assessed at $2.50 per acre.

Hence the reason for assessing the lands at one-third of its real value.

I might say with respect to the value of the land on St. Peter's reserve, that at $20 per acre it was the cheapest good land between Lake Winnipeg and the Rocky Mountains in 1909.

Yours truly,
A. C. CLARE,
Assessor for 1909, municipality of St. Andrews.

Some of this land was in the precincts of the town of Selkirk. A piece of the land which the Indian agent, J. O. Lewis, bought from that unfortunate woman at $5 an acre was assessed for $50 an acre in the town of Selkirk. Here are some other assessments: Lot 1, 61 acres at $25 per acre; lot 2, 18 acres at $25 per acre; lot 5, 15 acres at $40 per acre; lot 5, 33 acres at $20 per acre; lot 6, 11½ acres at $25 per acre; lot 8, 18 acres at $20 per acre.

Lot 14—a piece of this land was put up for sale only a few months ago and $22 an acre was refused for it. There surely is no other evidence required to show that these lands, which the government have given away to their friends for about $5 per acre, for less than one-third, I think less than one-fourth of their actual value, are worth at least from $20 to $25 an acre. If the government had been anxious to carry out the policy of which it boasts in this House and of which every member boasts throughout the great west, the land for the settler and not for the speculator, they had a grand opportunity here. We had 48,000 acres of the best land in the province of Manitoba, with 2,000 or 3,000 settlers land-hungry in my own constituency; we had 2,000 Ruthenians, Polanders and Germans living on land west of Lake Winnipeg, where they had to wade in water to their waists to get to their homes at certain times of the year. The government have placed these people on land where it is utterly impossible for them to make a living, while we had these magnificent areas. These people would have been delighted to have had an opportunity to buy these lands and would have been willing to pay from $15 to $20 an acre for them on a ten year purchase. Then we would have had a settlement adjacent to the town of Selkirk which would have been a source of wealth to the town and would have converted that district into a perfect garden, and the land would have been put into the hands of settlers, and not as now into the hands of speculators. I stated at the opening of my remarks that the settlers were paying for these lands eight or ten times what the speculators were paying. I want to make good that statement before I take my seat. I have in my hand a petition to myself from some of these Ruthenians and Polanders, which reads as follows:

Winnipeg, Manitoba, January 14, 1909.

Dear Sir,—We, farmers of your constituency, find that Mr. W. Frank bought off the Dominion government a piece of land north of East Selkirk in the province of Manitoba, for which he paid the sum of $3 to $5 per acre. This same Mr. Frank has sold this same land to us for from $40 to $75 per acre.

We are also informed that he bought from the same government, an Indian reservation or a part thereof, for which he has been asking the sum of $40 per acre. Now, Mr. Bradbury, as our representative for the constituency of Selkirk, in which the above named lands are situated, we are asking if it is in your power to protect us in this matter.

We are willing and anxious to purchase this land at a fair valuation but consider Mr. Frank's prices exorbitant.

We understand that the transaction between the government and Mr. Frank was a secret one and the settlers in the locality had not an opportunity of making a bid for them.

We inclose a sample of agreements in regard to this matter, and also pen other details in regard to same.

They give me the names of the different men, the lands they bought, and the prices they paid, and I am going to place some of them on record. Theodore Ticko bought 10 acres at $50 per acre; Kaprijan Wawrrynice, 10 acres; Wisiniowrki, 10 acres; Hornceki, 10 acres; Stephen Kolba, 10 acres; Myuak, 10 acres; Zirriezni, 10 acres; Stephen Bubyk, 10 acres.

Here are thirteen cases in which the poor settlers on account of the government's neglect, and perhaps worse, had to pay from $40 to $60 an acre for a part of the same land, or ten times what this wise government made it possible for the land speculator to get nearly 30,000 acres of these lands at. Is there any hon. gentleman on that side of the House who would try to justify a transaction of that kind. What a grand opportunity this government had there of carrying out its avowed policy of land for the settler and not for the speculators—48,000 acres of the best land in Manitoba lying within 25 miles of Winnipeg, and 2,000 or 3,000 good settlers land hungry, most of these living on lands west of Gimili, and on land utterly unfit for agricultural purposes. These are among the best settlers in that province to-day. They have demonstrated the fact that they are thrifty, hard working, honest people, and it is an outrage that they should have been allowed to remain on that land when the government had the opportunity of giving them these 48,000 acres at a fair honest price. These men would have bought these lands and paid the government three times what the government got from the speculators, and we would have had adjacent to the town of Selkirk one of the best settlements in Manitoba occupied by people who would have made a garden of that section, and made it a source of wealth to that town. Instead of this, the government, which boasted that its policy was to pro-

tect the poor man, looking after the interests of the settler, we find it taking great care to look after the interests of the big men, and speculators, and allowing the poor settlers to look after themselves.

I have taken up a good deal of the time of this House, and if I had nothing more than what I have stated I would feel that I had made a case strong enough to convince any man in this House and country. But I hold in my hand written declarations which will confirm everything I have said, and which are the bases of the case I have placed on record. Here is the testimony of Wm. Asham:

Dominion of Canada,
Province of Manitoba.
To wit:

In the matter of St. Peter's Indian reserve and of the sale and disposal of the Indian lands in said reserve.

I, William Asham, of the Parish of St. Peters, in the province of Manitoba, do solemnly declare that:

I am a member of St. Peter's band and an ex-chief, that I am thoroughly familiar with the manner in which the Indians in general have been treated regarding the sale of lands allotted to them under the surrender of the reserve effected the 24th day of September, 1907.

In the first place I declare, that the chief on different occasions previous to the surrender stated publicly, that he would not agree to the surrender of the reserve under any consideration. This subject was discussed on several occasions by the chief before the band. He also stated that he was offered in consideration of him agreeing to the surrender, enough to make him well-off as long as he lived, and that he could be a gentleman for the rest of his natural life, but he would not agree to do that because it was not only he that was going to live. I have to consider my future grandchildren and the band that I represent.

I further declare that I was so anxious about this matter that the next morning after the meeting at which the chief had made this declaration I went to his house and said to him, calling him grandfather as I always do, you stated in the meeting last night that you would never agree to the surrender of the reserve. I have come to you now to have you repeat that to me, and he said, 'Grandson' as he usually called me, 'I did state that at the meeting, and I state it now, that I will never agree to the surrender of the reserve.' I told him then that the reason I was so anxious that I was doubtful of the council but not of him.

After this occurrence myself and the band who were anxious to retain the reserve felt easy that there was no danger of the chief yielding to the influences that were working to secure the surrender, but after some little time I learned that there were private meetings being held in Selkirk unknown to the band, with parties interested in securing the surrender of the reserve. Almost immediately after these private meetings a notice was posted informing the band that a further meeting would be held for the purpose of considering the surrender. This notice was signed by the chief. I declare that this came with great surprise to me and to the band after the public declarations and private promises made by the chief.

The meeting was held in an old schoolhouse on the reserve, too small to hold more than half of those present. Those present representing the government were Chief Justice Howell, Frank Pedley, Deputy Superintendant General of Indian Affairs, S. J. Jackson, M.P., E. Rayner, of Selkirk, John Semmons, Inspector of Indian agencies, J. O. Lewis, Indian agent, and Dr. Grain.

When the meeting was called to order, Frank Pedley was selected to take the chair, and I was called in from the outside and requested by one of the gentlemen to act as interpreter. This I declined to do stating that I wanted a free hand, but William H. Prince, one of the councillors, acted as interpreter, and interpreted parts of the proceedings.

As soon as Mr. Pedley took the chair, I immediately stepped forward and asked if this was a public meeting. The chairman said certainly. Then, I said, it was free for every one to express his opinion on the subject before the meeting, and Mr. Pedley replied, certainly. Mr. Pedley started to explain the condition of the surrender, informing the meeting that he was sent there by the government to arrange for the surrender of the reserve. Mr. Pedley explained to the meeting what the government was willing to do if we would agree to surrender the reserve. One proposition he made was that the chief would receive 180 acres of land, and each councillor 120, and each Indian would receive only 16 acres of land. I immediately demanded the reason why the chief and council should receive more land than the ordinary Indian. Mr. Pedley replied that they were getting the extra land for their recognition. I then stated the only recognition they had was the coat they wore and the extra money they receive annually. I also stated that they were not entitled to one acre more land than the ordinary Indian would receive, but as the agreement of surrender was already prepared there was no change made at the time.

I further declare that at least two-thirds of the Indians present did not understand the conditions as stated by Mr. Pedley. I, understanding the English language, did most of the talking against the surrender of the reserve and after talking several hours back and forward I demanded that a vote be taken. At this time there was no question that a large majority of the band that were present were against the surrender, and expressed themselves loudly at times to this effect. Mr. Pedley and the council and others interested refused to allow the vote to be taken that night and the meeting was adjourned until ten o'clock the next day at the same place.

At ten o'clock next morning the meeting was again opened by the same parties representing the government present. I was surprised to find that some of those who had supported me strongly against the surrender the day before had been changed during the night. What caused the change, God only knows, I don't. But after a great deal of talk we adjourned to have lunch. I was invited by

W. D. Harper, councillor to have lunch with him at his house. After lunch, sitting in the room with others, Harper slipped a piece of paper into my hand with the following words written in lead pencil by himself to this effect: 'What would you think if you were to be made equal to a councillor,' meaning of course that I would get as much land as a councillor if I would agree to the surrender. I stated that I could not possibly agree. Before going into lunch, James Williams, councillor, came up and giving me a nudge whispered 'Go and see Chief Justice Howell.' I replied 'No, I would not go near him.' After coming out of Harper's house somebody approached me and told me that Mr. Jackson the member wanted to see me, and I said I did not want to see him, but after awhile Mr. Jackson edged his way into the crowd where I was standing and pulling my coat indicating that he wanted me to step out of the crowd. I did so with him, then he said to me: Mr. Asham, you are strongly opposed to the surrender. I said, yes. Then he said, what would you think if we were to make you equal with the council and stated I will promise you to obtain a patent for the land in about six weeks. To this I replied that I could not possibly agree. I declare that if I had have agreed I would have felt that I would be accepting a bribe to desert my friends who were protesting against the surrender.

Now, soon after this, we were in the heat of a hot discussion in the matter regarding the surrender. Mr. Pedley during his speech at this time said I have $5,000 here, pointing to a satchel at his side. If you agree to this surrender this money will be distributed among you, but if you don't agree to the surrender, I will take my satchel and go home and you won't get a cent. Then we were told the time had come to take a vote. Up to this time fully half of the band present had not been able to get into the building, and did not hear what had taken place. The building being too small to take the vote in, we were asked to go outside. Then Mr. John Semmons, the inspector of Indian agencies, spoke loudly in Cree, saying, 'All you that want $90 go to this side,' indicating where the chief and council were standing, 'the others go to the opposite side.' The crowd separated under great excitement, a great many not knowing what they were doing. After they were separated, some of them moving from one side to the other, not knowing what they were doing. Mr. Semmons and myself started to count the votes that were against, but when we got through counting we turned round to count the other side. I was told then that the other side was counted. I did not know who counted the other side, and they claimed they had a majority of seven. I was astonished to hear this, and sized up the two sides and satisfied myself that there were a larger number standing on my side than there was with the chief and council, but I had no opportunity whatever of counting the number that stood with the chief and council. I protested to Mr. Semmons, saying to him that he should not have said that you who want $90 go on one side, but you should have said you that want to surrender the reserve go to one side, and you that dont want to surrender the reserve go to the other side, then the people would have understood what they were voting for.

I declare that I consider the vote irregular and improper as it was not stated fairly to the people, nor was it fairly counted as it was counted by different parties. When Mr. Pedley read the surrender that he had with him prepared he read it in English, and fast, that even I, who understood English, found it difficult to understand the terms of the surrender. This was not interpreted to the band in their own language, consequently very few, if any, understood the conditions of the surrender. I am satisfied that Mr. Pedley and the others came determined to secure the surrender. The surrender was all prepared without any consultation with the band, and they brought the $5,000 with them. Without this money on the ground I am satisfied they never could have secured the support they did in favour of the surrender.

Immediately after the vote was taken, the treaty was signed, and they commenced paying the money out. The chief and councillors were paid first. Then, as I was made equal with the council, this being done after they had declared the surrender carried, they paid me the same as an ordinary Indian, although they had stated that I had to be made equal to the council. I asked Mr. Pedley why they did not pay me the same money as the council, as you have made me equal to the council. He stated that he was willing, but that I had better see the chief. I saw the chief and he was willing, but it now being late he asked me to come the next day. I came the next day, and after waiting for a while I asked the chief for the balance of my money, and he said he was very sorry that the council would not agree. But I did get the same amount of land. No doubt this land was given me to satisfy me with what had been done, but I have never ceased to protest against what I consider to be an outrage and the disinheriting the Indians and sacrificing my birthright.

And I make this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

(Signed) WILLIAM ASHAM.

Declared before me at the town of Selkirk, in the province of Manitoba, this 20th day of December, A.D. 1909.

C. R. SMALLMAN,
Commissioner.

Well, some one will say this is only an Indian. True, but he is one of the brightest and most intelligent Indians I have met. And, as showing his credibility, I have a letter here from the Bishop of Moosomin, which I will read:

Selkirk, Man., December 22, 1909.

Geo. H. Bradbury, Esq., M.P.

Dear Sir,—This is to certify that I have known Mr. William Asham for over 19 years as Incumbent of St. Peter's parish. I was associated with him in the work of the church for nearly 19 years, and I can bear testimony to the fidelity and probity of his life. He was always a staunch supporter of

the truth and was never afraid to express his opinions and convictions on the side of honesty and righteousness.

I therefore have the greatest pleasure in introducing him to you as one whose word is always reliable, and whose influence is used for worthy and upright ends.

With best wishes,

Yours sincerely,
JOHN G. ANDERSON,
Bishop of Moosomin.

There can be no question as to the credibility of this man. I have other declarations here corroborating Asham's statement, and I will place this one also on record:

Dominion of Canada, Province of Manitoba.
In the matter of St. Peter's Indian reserve and the sale and disposal of Indian lands in said reserve.

To Wit:

I, John Flett, of the parish of St. Peter's, in the province of Manitoba, Indian, do solemnly declare that I am a member of St. Peter's Band of Indians. I never made an application for my patent, although the same has been issued and duly received by me. I was present on the days' when the terms of surrender were being discussed in the school house in St. Peter's reserve. I heard Mr. Frank Pedley say that if we agreed to the surrender it would not interfere with our usual election for a chief and councillors, which should have taken place on July 4, 1908, but which up to the present time has been refused by the Indian Department. The band has no confidence in the present chief and his councillors, who, I believe betrayed us to the officials and to the men who have secured our lands by a misrepresentation in leading the Indians to believe that any money's paid to them in the first instance was simply as a loan and that a proper bargain would be made with them when their patents were issued. I declare that councillor Williams told William Asham and others in my presence, that the chief had received a present of a team of horses worth $250 from William Frank, and that the councillors were promised $100 each for helping Mr. Frank to secure the land from the Indians. In addition to this they were to receive $2 per day for helping to get the land by bringing the Indians to the office and getting them to agree to dispose of their lands to Mr. Frank.

I heard Mr. Frank Pedley say to the Indians a short time before the vote was taken at St. Peter's, that he had $5,000 in his bag, pointing to it at his side, and he also said if you vote for the surrender I will divide it among you at once. If you do not, I will take my bag and go home, and you will not get a cent. In my opinion this statement influenced many of the Indians to vote with the chief and councillors that day. Just as the vote was going to be taken, I heard Mr. John Semmons, Inspector of Indian agencies, state loudly in the Cree language to the Indians present: All of you who want $90 go to that side, indicating with his arm where the chief and councillors were standing. I am satisfied that these two statements, the one by Mr. Frank Pedley, and the other by Mr. John Semmons, influenced many to go on the side with the chief. The majority of the Indians did not know that they were voting to surrender their homes, as I am sure they did not wish to do. They were not asked the question: You that are in favour of surrendering the reserve, go to that side. Many did not realize that the vote was whether or not they should surrender the reserve. I am satisfied that if the question had been stated fairly, even in the face of the bribe offered, that is the dividing of the $5,000 mentioned by Mr. Frank Pedley among the band, if they voted to surrender, and the further statement of Mr. John Semmons: All of you who want $90, go to that side, the Indians would never have voted with the chief and councillors if they had understood that it meant the giving up of their lands and homes where they had been born and where this band had lived for generations.

I declare most solemnly that I understand the English language fairly well, and understood most of what I heard during the negotiations for the surrender. The band at no time was in favour of it. It was in my opinion secured by trickery, and the change in the chief's views, he having pledged himself again and again publicly against and surrender of our lands. The terms of surrender were not even interpreted to the band. Fully one half could not hear what was taking place in the schoolhouse, as they could not get in, and of those who were in many did not understand, as the proceedings were not interpreted to them. I now feel that there was collusion between the officials and the land buyers to take our homes from us, and that the Indians have been badly cheated, first in the manner in which the surrender was secured, and again by the land buyers who have taken our lands at less than one-third of the amount we expected to receive for the same.

And I make this solemn declaration conscientiously, believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893.

JOHN FLETT.

Declared before me at the parish of St. Peter's, in the province of Manitoba, this 30th day of December, A.D., 1909.

ROBERT G. McDONALD,
Commissioner.

I have a declaration here which I think I should place on record, the testimony of Fred. Cameron. It reads:

Dominion of Canada, Province of Manitoba.
In the matter of St. Peter's Indian Reserve and the sale and disposal of the Indian lands in said reserve.

To Wit:

I, Fred Cameron, of the parish of St. Peter's in the province of Manitoba, Indian, do solemnly declare, that:

I am a member of St. Peter's band of Indians, and as such was entitled to 128 acres of land, 16 acres for myself, 16 acres for my wife and 16 acres each for my six children under the terms of surrender effected on September 24, 1907.

I never made a selection of my allotment of land, I never signed an application for my patent, but on or about the 20th day of December, 1908, while in Selkirk, Pete Sutherland

met me and said, Fred, your patent is at the Indian office, and I went there, got it and signed a receipt for same. Prior to the time of the surrender there were public meetings held by the band, and at each meeting our chief and councillors with the exception of councillor W. H. Prince told the band over and over again that they would not surrender their reserve under any consideration. The chief went on to say that he was offered enough if he would surrender that he would be well off all the days of his life, and in fact I would be a gentleman if I were to accept it.

The band were left with the impression after these statements at the public meetings that their chief and councillors would never surrender our reserve. On the 23rd September, 1907, negotiations were begun with the band for the surrender, and the band then knew that their chief and councillors had changed their views and were in favour of surrendering our reserve.

On the 24th September, 1907, I heard Mr. Frank Pedley, Deputy Superintendent General of Indian Affairs, Ottawa, tell the band that he had $5,000 in his satchel, and if you surrender, the money will be distributed among the band, if not, I will take my bag and go home.

A few minutes before the vote for surrender, Mr. John Semmons, Inspector of Indian Agencies, Frank Pedley and Samuel J. Jackson, were standing together. Mr. Semmons beckoned to me and said, Come here, Fred. I went over to them, and Mr. Semmons then said, are you on our side? I said, no. He said, you had better surrender, Fred, and you will be well off. He then asked me what family I had. I told him I had eight of a family. He pulled out a small pass book from his pocket and commenced figuring, and after a little said, you will get $34.40, and besides you will get your 16 acres per head. He kept on figuring and said. You will get 128 acres, and also you will get $90 per head next year. This will come to over $700. After telling me all this, he said will you surrender? and I said no. A short time after this conversation the vote took place. We were separated, those for and those against the surrender. And I believe quite a number did not understand or quite realize what they were doing, as many of the Indians were going backwards and forwards from one side to the other. The vote for surrender was not taken according to our usual custom, and I believe the same to have been both irregular and improper. During the negotiations, Mr. Henry Hope asked Mr. Frank Pedley if the surrender was carried, will it interfere with our usual election for a chief and councillors. Mr. Pedley said, no.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

FRED CAMERON.

Declared before me at the parish of St. Peter's, in the province of Manitoba, this 4th day of January, 1910.

R. G. McDONALD,
Commissioner.

I have here a short declaration from a man whom the department employed as interpreter during the time, Mr. Williams, law clerk of the department was making a private investigation in St. Peter's at the instance of the minister. That declaration reads:

Canada, Province of Manitoba.

In the matter of St. Peter's Indian Reserve and of the sale and disposal of the Indian lands in said reserve.

To Wit:

I, William Sinclair of the parish of St. Peter's, in the province of Manitoba, do solemnly declare that:

I am a member of the St. Peter's band of Indians, and that I was present at the time of the surrender of the St. Peter's reserve, and declare that when the vote was just about to be taken to decide whether the reserve should be surrendered or not, I heard John Semmons, Inspector of Indian Agencies, make a short speech in the Cree language, and said to all those present, that those wanting the $90 to go go over there, indicating the place where they should stand who favoured the surrender.

I further declare that I heard Mr. Pedley say that he had $5,000 in his satchel which he would divide among the Indians providing they would make a surrender of the reserve. If not, he would take the money back.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

WILLIAM SINCLAIR.

Declared before me at the town of Selkirk, in the province of Manitoba, this 22nd day of January, 1910.

C. R. SMALLMAN,
Commissioner.

These are all bright, intelligent men, who talk the English language as well as I do. The last man, Sinclair, is a very clever fellow, from whose conversation you would never know that he is an Indian.

In view of all these facts which I have laid before the House, the fact that the chief and the councillors were bribed to agree to the surrender, the fact that they then became active agents of the officials who engineered the surrender, the fact that after the surrender the same men became the paid agents of the men who were securing the Indian allotments, and that the poor Indian was deceived by these men into disposing of his lands for less than one-third of their actual value, the fact that the Indian agent at Selkirk was himself a party to the deception, the fact that the terms of the surrender were all arranged at private meetings in Selkirk between the government agent and the chief and councillors who had first been bribed to attend such a meeting and to agree to the surrender unknown to their band, the further fact that the surrender was conducted irregularly and entirely by government officials and other interested parties, the fact that the meeting of the band to discuss the

surrender was sprung on the band at one day's notice, the fact that less than three-fourths of those entitled to vote were present at the meeting, the fact that the Deputy Superintendent General of Indian Affairs offered the band $5,000 if they voted for the surrender, the fact that John Semmons, Indian Inspector, offered $90 each if they voted for the surrender, the fact that at least 20 per cent of those qualified to vote, all young men the backbone of the band, were absent working and had nc notification of the said meeting, and consequently were not present, the fact that the Indian Act and common sense require a majority of the male members, 21 years and over, to agree to a surrender, and that in this case less than 38 per cent of the qualified voters voted in favour of the surrender, and the fact that in face of all of these scandalous facts, the government were only able to secure, out of some 200 voters present, seven of a majority shows, Mr. Speaker, how thoroughly unpopular the surrender was.

These and other facts compel me to say that this whole transaction is a disgrace to the government responsible, and that to my mind illegal and would not stand the test of a properly constituted court in Canada.

In view of these facts which I have tried to lay before this House fairly and impartially, I beg to move:

That all the words after the word 'that' in the proposed motion be struck out and the following substituted therefor:—

The government of Canada is the guardian and trustee of the Indians and is bound to conserve their estate and property, not only against the rapacious designs of other persons, but also against the known improvidence and business incapacity of the Indians themselves.

That the government ought not to permit any part of such estate and property to become the prey of speculators at a price far below its value, but should observe and enforce all precautions and safeguards which are necessary to preserve to the Indians the full value and benefit of their property and to prevent it from being wasted and dissipated.

That in respect of such matters the government should administer the affairs of the Indians as a trust and should not permit any person to make an unjust profit at the expense of those whom it is the duty of the government to protect.

That this House desire to place on record its strong condemnation of the methods by which the government secured the surrender of the St. Peter's Indian reserve near Selkirk, in the province of Manitoba, and its equally strong condemnation of the failure of the government to safeguard the interests of the Indians in the disposal of the land so surrendered.

Hon. FRANK OLIVER (Minister of the Interior). At this late hour it would hardly be fair to the House to continue the discussion, and I would therefore move the adjournment of the debate.

Motion agreed to.

Mr. FIELDING moved the adjournment of the House.

Mr. SPROULE. What will be the business to-morrow?

Mr. FIELDING. We shall continue this debate.

Motion agreed to, and House adjourned at 12.50 a.m., Thursday.

HOUSE OF COMMONS.

THURSDAY, April 14, 1910.

The SPEAKER took the Chair at Eleven o'clock.

QUESTIONS.

THE HODGINS INVESTIGATION.

Mr. LENNOX:

1. What sums of money were paid to counsel, and to whom, separately, for professional services in connection with the Hodgins investigation?
2. Who were paid as witnesses and what sum was paid to each?
3. What was the total cost, including stenographers, printing, &c., of the Hodgins investigation?

Hon. Geo. P. GRAHAM. I have the following memo. from the Accountant:

1908.			
		Witnesses.	
June	2	Major A. E. Hodgins	$ 156 50
"	19	" "	255 00
"	19	J. A. Heaman	178 00
"	19	J. Armstrong	166 75
"	19	W. E. Mann	125 60
"	24	Messrs. C. S. Blue and H. Banks (stenographers)	114 34
July	16	C. Le B. Miles	61 20
"	16	M. C. Macfarlane	103 05
"	16	Geo. Scott	103 85
"	16	E. R. Blackwell	103 05
"	16	G. L. Mattice	96 85
"	24	A. P. Miller	100 85
"	24	E. R. Milledge	101 45
"	24	G. H. Sumstrum	114 20
"	24	W. W. Bell	100 85
		Counsel.	
Aug.	6	Charles Murphy, K.C.	1,938 00
"	6	F. E. Hodgins	1,562 85
			$5,382 39

The following shows the cost of printing to April 5, 1910:

Evidence	No. 1	$ 171 85
"	2	193 51
"	3	67 10
"	4	70 24
"	5	45 39
"	6	96 72
"	7	144 50

Evidence No 8	$ 77 89
" 9	11 54
Synopsis	5 22
Journals, English	792 44
	$1,676 40

The French journals are not completed. They should cost about the same as the English.

SOURIS LIFE-SAVING STATION.

Mr. FRASER :

1. Upon whose land is the government life-saving station house at Souris, P.E.I., built?
2. Did the government have the title of this site searched?
3. Is it the intention of the government to pay for the land occupied by this station house?

Sir WILFRID LAURIER:

1. The land belongs to Mr. J. J. Hughes.
2. No.
3. The department has the option of paying $1.00 a year rental or purchasing.

MAGDALEN ISLAND STEAMSHIP SERVICE.

Mr. STANFIELD :

1. Were tenders called for steamship service between Pictou and Magdalen Islands in 1909?
2. If so, who were the tenderers and amount of each tender?
3. Has the subsidy been increased since? If so, how much and what was the reason for such increase?

Sir WILFRID LAURIER:

1. Yes.
2. First series of tenders:

Holliday Bros., Quebec	$12,500
Magdalen Island S.S. Co., Halifax, N.S.	20,000
Wm. McLure, Pictou, N.S.	15,000
Bouchard Bros., Quebec	14,500
Second series :	
Magdalen Island S.S. Co., Halifax, N.S.	10,000
Magdalen Island S.S. Co., Halifax, N.S.	15,000
Wm. McLure, Pictou, N.S.	12,000
Bouchard Bros., Quebec	10,995

3. Not as yet.

ST. PETER'S INDIAN RESERVE.

Mr. BRADBURY :

Has there been any offer or negotiations from Mr. Wm. Frank, of Winnipeg, or from any of the other men who secured the Indian allotment of St. Peter's Indian Reserve, to return said lands to the government on receipt of money paid for lands by them? If so, does the government intend accepting the offer and secure a return of these lands?

Hon. FRANK OLIVER. The department is not aware of such offer or negotiations.

MAIL CONTRACTS IN FRONTENAC COUNTY.

Mr. EDWARDS :

1. What was the contract price for carrying the mail on the Kingston and Perth road stage route for the years 1908 and 1909?
2. What was the revenue last year from Latimer post office?
3. Has the Post Office Department received petitions asking for a daily mail service for Latimer post office?
4. Has the inspector of the Kingtson district reported against a daily service for Latimer? If so, for what reasons?

Sir WILFRID LAURIER:

1. 1908. $450 per annum.
   1909. $350 per annum, dating from the 1st July.
2. $71.25 per annum.
3. Yes.
4. Yes, in February, 1909, the Inspector reported that the amount of postal business was not sufficient to warrant the additional expenditure.

QUESTION OF PRIVILEGE.

An Act to amend the CIVIL SERVICE.

Mr. A. M. BEAUPARLANT (St. Hyacinthe). (Translation.) Mr. Speaker, before the orders of the day are proceeded with, I wish to give some explanations in order to dispel a misinterpretation prevailing in the public at large about the Bill I have laid before the House. Some newspapers have made remarks on that Bill concerning the seizure of the salary of the officers of parliament which I have introduced a short while ago. I would not have pointed out those remarks if some people had not persisted to make them repeatedly, falling into the same mistake and if that question did not concern to an enormous extent all the persons employed in the civil service I am bound therefore to set right that misrepresentation and to explain as matters stand.

I am not to take the time of the House to explain what are those mistakes. I will go straight to the point and say that this Bill is intended to make liable to seizure the salary of the officers of the federal government without distinction nor exception, from the ministers—if some of them have any debts—judges and members, to the last of the messengers. There is no distinction made. The intention is to reach the employees which have debts unpaid. The obligation of paying one's debts is a strict duty laid before everybody. I do not see why a federal servant should be more than any other citizen dispensed with that obligation.

The fairness require that everybody should be on an equal footing and it is an act of liberalism to replace a privilege by the parity of condition.

However, many of the public officers do not need the interference of the legislator to do honour to their engagements, but the number of those who neglect this duty is enough notable to justify the Bill.

Some newspapers assert that not only a part, but the whole salary shall be liable to seizure. That is another mistake. A part only shall be liable to seizure. Indeed to seize the whole salary of a heavily entangled servant should not be human. For such a man, having no more means of living, it should be better to resign. The intention of the Bill is to make only one part of the salary liable to seizure which is determined by the law of each province.

It is only the carrying out of the principle of seizability of salaries as regards civil servants as well as other debtors.

As I am pointing out the mistakes made by certain newspapers, allow me to recall the fact that the day after that on which I made my remarks on the Naval Bill, some newspapers credited me with having made statements which I never made. No remarks of mine, either in the French or English version of the 'Hansard,' whether in the revised or unrevised edition, justify them in stating that I ever made such assertions. In fact, these errors have not been made in bad faith and may be explained by the fact that the press reporters are not always near enough to hear distinctly the utterances of the member who is speaking.

One third and last point in regard to which a plea of good faith can not be maintained is the following: A certain Quebec newspaper has a good deal to say about me. It is true that two or three years ago, I had the misfortune, which it considers as a very evil deed on my part, to have it condemned for libel.

An hon. MEMBER. Name it.

Mr. BEAUPARLANT. I shall name it at once. That newspaper was repeatedly condemned in the same year for slander; twenty-one times, I believe—it will be seen that, as far as insulting is concerned, it has reached its majority—however, its name is 'L'Evenement,' which shows that its name itself is a falsehood. I shall not take up the time of the House in dealing with that newspaper, nor with any other papers whose idea of politics seems to be that it merely consists in the cutlivation of public mud throwing. Fortunately such papers are not numerous. This journal, 'L'Evenement' not only does not give fair play to the members sitting on the government side of the House, but it does not even act fairly towards its own political friends. What is to be regretted is that this newspaper is not well known by all its readers. If it was, it would do no harm. It would be as harmless as the one who controls it.

FENIAN RAID VETERANS.

Mr. THOBURN. I wish to draw the attention of the Prime Minister to the following article which appears in the Almonte 'Times':

FENIAN RAID VETERANS.

Montreal 'Witness'—Mr. F. Hamilton, who has just returned from Ottawa, stated last night to a largely attended meeting of the Fenian Raid Veterans, held in the Armoury, Craig street, that the Minister of Militia has expressed himself as willing to recognize the services of those who did active duty in the Fenian raids. Captain Joseph H. Patterson, accompanied by Mr. Hamilton, had interviewed Sir Wilfrid Laurier and the Hon. Frank Oliver, Minister of the Interior, both of whom expressed their willingness to discuss the question on its merits, and said it would be brought before the House during the present session.

I am continually being asked by veterans if action is to be taken this year or not and I would like to be in a position to say yes or no.

Sir WILFRID LAURIER. Capt. Patterson was evidently under a misapprehension when he stated as much as he did. He was right in stating that the government have the matter under advisement but the government did not say they would bring the question up during the present session.

RELEASE OF TWO PRISONERS.

Mr. BOYCE. I wish to call the attention of the Minister of Justice to an article in the issue of the Canadian Municipal Journal and Telephone Building News for April, as follows :

WHERE WAS THE PULL?

Two months ago Judge Winchester, Toronto, sentenced L. J. Skellie and J. G. King to one year's imprisonment in the Central Prison for distributing obscene literature and post cards. The judge spoke very severely in giving the sentence, saying that if the youth of this country was to grow up in the right way, scoundrels who acted as the prisoners had done must be severely punished. Both prisoners pleaded guilty, and two stenographers gave evidence that they have refused to work for the prisoners, so filthy was the business.

Needless to say, the sentence of Judge Winchester gave great satisfaction.

On the 4th of March, these two prisoners, after serving only two months—or one-sixth—of their sentence, were released with an absolutely free pardon by the order of the Minister of Justice .

The question that is now being asked is, 'where is the pull?'

Mr. Robinette, K.C., defended the prisoners —though it seems strange that an eminent lawyer should stoop to such a dirty case— and he, it is understood, is a personal friend of the minister.

Some of the few fearless members of the House of Commons should ask the minister on what grounds he set aside the decision of such a careful judge as Judge Winchester; and how he considers it consistent with the justice, for the department to let loose two such offenders.

Such an action is not only a blot on the administration of justice—for if the minister is right, Judge Winchester is wrong—but it is a tremendous discouragement to those who are charged with catching criminals, the police. What on earth is the good of a fine police force, such as that of Toronto, when their successful efforts to trace, arrest and secure the conviction of a public nuisance is set aside by the head of the Department of Justice?

The whole thing is a pure farce. If the Minister of Justice condoned dealing in obscene literature, let him secure an amendment to the Criminal Code, so that the public and the police may know that it is legal in Canada.

Hon. A. B. AYLESWORTH. I have a fairly accurate memory of the circumstances of the case to which the hon. gentleman has referred but the matter is one of considerable importance and I would therefore prefer, before making any statement in regard to it, to refer again to the file in order that I may not, by possibility, make any slip in stating the facts of the case. But I want to take this earliest possible opportunity to deny and to repudiate with whatever indignation and resentment I am capable of, the absurd and utterly untrue insinuation of the article in question that the gentleman named in the article, Mr. Robinette of Toronto, or any other man has the slightest influence or pull, as it is called, with the Department of Justice in connection with applications of this character. My memory is, and I think I am not mistaken, that in this particular case Mr. Robinette did not figure in any way whatever. I am certain that the solicitor who represented the principal defendant, a man named Skill, not Skelly, was of the opposite political party to Mr. Robinette and so far as I can now recall Mr. Robinette had no connection whatever with either of the prisoners nor did his name appear in any way in connection with the application. Certainly he never saw me in connection with the matter and if he had anything to do with it it was limited to the writing of a letter or something of that character. I stated when I rose I should prefer not going into the circumstances in the case upon this occasion, but with the permission of the House I would like to take an early opportunity to do so, because although I deprecate, as on previous occasions I have repeatedly deprecated, a public discussion in this House or elsewhere of the action which, in the exercise of his prerogative and under the advice of his minister, His Excellency takes in matters of this character, this particular case is one, especially in view of the canards which the hon. gentleman has brought to the attention of the House, in which I think it would be well that the facts should be known to the public.

Mr. SPROULE. It would be well that the minister should bring down any letters or papers in connection with it. I know he has sometimes refused to bring them down.

PERSONAL EXPLANATION—MR. BLAIN

Mr. BLAIN. I wish to call attention to an article from the Ottawa 'Free Press' referring to myself personally. It is as follows :

TORY WHIP ON PATRONAGE LIST.

Richard Blain, the Conservative member for Peel, and one of the whips for Ontario, was exposed in the House of Commons westerday as being on a patronage list of the government. It was all his own doing, at that. If he had kept quiet nobody would have known anything about his private dealings with the government, but the fatal blow came at about 5 o'clock.

The House was in Committee of Supply on a Post Office Department vote of more than $500,000.

Mr. Blain, as usual, began harping on the question of patronage, and incidently asked the Postmaster General if he had a patronage list in his department.

'So far as I am aware,' replied Mr. Lemieux, 'there is no patronage list in my department. But I remember the member for Peel coming to me once and asking for a post office in some part of his county. And I think I granted him his request and built the post office for him.'

'Then,' cried Hon. Wm. Pugsley, Minister of Public Works, in evident glee, 'the member for Peel is on the patronage list.'

'Oh, yes,' answered Mr. Lemieux, 'he's on the patronage list.'

Mr. Blain could not withdraw, and had to admit that he was guilty of accepting patronage from the other side of the House.

I think I may say this is the first time I ever directed the attention of the House to any newspaper criticism of myself, but I thought this was so villainous that I would not allow it to pass.

Mr. EMMERSON. Don't you mean humorous instead of villainous?

Mr. BLAIN. I see the humorous side of it, too. I may say, Mr. Speaker, that I never at any time, either publicly or privately, made a request to the government for a post office to be erected in the county of Peel, I make that statement without fear of contradiction. I did ask on two occasions that a post office be opened at a very small village, not a village, but at the junc-

tion of two cross roads in my county, and I am frank when I say that my hon. friend the Postmaster General acceded to my request, and two post offices were opened up, But never a dollar was expended in the county of Peel by any department of this government since I have had the honour of representing it in the way of public works. I say this because it is unfair that I should be charged with asking the government for a post office that I know they would not build.

CLASSIFICATION OF OFFICERS OF THE HOUSE.

Mr. J. A. CURRIE. Before the orders of the day are called, I would like to ask a question. Several days ago the Prime Minister laid on the table of this House a report on a new classification of the officers of this House, signed by the learned gentleman who sits at the head of the table. I have looked carefully over the Votes and Proceedings, and I find that the report has not been adopted or discussed by this House. I would like to ask the Prime Minister when the motion to adopt will be moved, or if the report will be discussed, so that we may have an opportunity of offering some observations.

Sir WILFRID LAURIER. I do not know much about the report myself; I will have to inquire and let my hon. friend know.

THIRD READING.

Bill (No. 103) to amend the Navigable Waters Protection Act.—Mr. Pugsley.

SUPPLY—ST. PETER'S INDIAN RESERVE.

House resumed 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. Bradbury thereto.

Hon. FRANK OLIVER (Minister of the Interior). I am sure the House will not expect me—at this stage of the session, would not wish me,—to make a detailed criticism of the four hours' speech made by my hon. friend from Selkirk (Mr. Bradbury) at the close of the last sitting of the House. My hon. friend is entitled to the credit, if credit it be, of having made the longest speech of the session. 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 unfounded assertion, of unwarranted insinuation; a tirade that, in its gratuitous inexactitude, is an offience against the privilege of parliament and an insult to its intelligence.

Mr. BLAIN.

Mr. BRADBURY. I rise to a question of order. I hold that no hon. gentleman, especially a man occupying the position the hon. gentleman does on the treasury benches, has any right to make such a charge against me. He accuses me of using language that is insulting to the intelligence of this House, which I deny, and the hon. gentleman ought to withdraw it.

Mr. SPEAKER. I do not think there is a point of order there.

Mr. OLIVER. I said that in my estimation the gratuitous inexactitudes of my hon. friend's address constituted an offence against the privilege of parliament and an insult to the intelligence of the House, in which my hon. friend excelled even himself. I have no means of expressing a greater appreciation of the speech and the peculiar talents to which my hon. friend owes the larger measure of his fame. The question that he has dealt with is not in itself of such importance at to warrant me in claiming the attention of the House at any great length. But there is involved in this question certain matters of public policy that are worthy of the fullest and most careful consideration of the House. The first question of policy relates to the surrender of Indian reservations. I may remind the House that my hon. friend, in the whole of his four hours' speech, in dealing with that very point, never found that the government was right once. It would strike almost any one that in such a lengthy and complicated transaction as the surrender of the St. Peter's reserve, it is peculiar that even this government should not be right once, at any rate. But my hon. friend proved to his own satisfaction that it was not right at any stage of the proceedings. To begin at the beginning, he was strong on the impropriety of attempting to secure a surrender of Indian lands unless the Indians themselves asked for that surrender.

Mr. BRADBURY. Would my hon. friend allow me to correct him? He has misunderstood me, either deliberately or unwittingly. I did not say that the land should only be surrendered on the request of the Indians themselves, but I charged the minister with making that surrender without receiving any request from any person in or around Selkirk, excepting Mr. S. J. Jackson, a former member of this House. I did not say that the Indians had asked for it.

Mr. OLIVER. Well, in view of the line of argument pursued by my hon. friend in his address, I do not think it is possible that he and I, in view of his present statement, are going to take the same meaning out of the words he has used. If I may be permitted to place my case before the House as the hon. member was permitted yester-

day, may I be permitted to do it with the explanation that I do so as I understood the purport of the remarks of the hon. gentleman? What I want to say is that the government of this country is charged with the responsibility of adminstering its affairs in the best interests of the people, and the responsibility for that administration does not rest upon the individual here or there who may be most intimately concerned. In administering Indian affairs, whenever and wherever the Indians are holding land which they are not using for their own benefit, or which they are occupying to their own detriment, because of its geographical or other situation, and wherever such land may be turned into money which would be of more benefit to the Indians than the land, then it is the policy of the government to secure the surrender of the land by the Indians and the exchange of that land into money that would be for the benefit of the Indians, and to change the condition of that land from lying dormant and useless under the ownership of the Indians to that of productive and tax-paying land under the ownership of white people who are willing to pay a fair market price for it. I hope I have succeeded in making the policy of the government on that question clear. I want to impress upon the House that in so far as I understood the hon. gentleman, and in so far as I understood him to be supported by his friends on the other side of the House, they were against that policy.

Some hon. MEMBERS. No, no.

Mr. OLIVER. So that we have a clear cut issue on that point. I wish to make a clear and concise statement. I do not wish to take up any more of the time of the House than is absolutely necessary; therefore, I may be pardoned for not always responding to suggestions from the other side of the House, but in this case I make an exception? My hon. friend and his friends protest against the interpretation that I place upon his remarks.

Some hon. MEMBERS. Hear, hear.

Mr. OLIVER. Now, Mr. Speaker, may I call your attention to this, that if the honest and successful attempt by the government to carry out that policy in a most noted instance receives only such consideration at the hands of parliament as my hon. friend has offered the government in regard to the surrender of this St. Peter's reserve, I would ask you, can it be expected that such a policy will be carried forward and made effective. Surely, such a tirade as my hon. friend saw fit to spread upon the pages of Hansard yesterday would cause a self-respecting government to hesitate in taking action in such matters, even if in their estimation it would be for the benefit of the Indians and the people interested. I have no hesitation in saying in connection with St. Peter's reserve that was exactly and absolutely what was done.

Now, with regard to the merits of the surrender itself; if I forget any of the large number of insinuations that my hon. friend made, the very large number of assertions that he made in condemnation of this transaction, I will be delighted if he should be good enough to remind me of them while I am speaking, because, as I followed his remarks, I could not see that one of them was founded on fact. Let me take first what I think he will admit he said and repeated, that the project of the surrender was planned deliberately, premeditatedly by the government for the purpose of unduly advantaging party friends of the government.

Some hon. MEMBERS. Hear, hear.

Mr. OLIVER. I think my hon. friend said that.

Mr. BRADBURY. I do not think there is any doubt about that.

Mr. OLIVER. There is no doubt he said it. Perhaps the facts, although I know my hon. friend has very little regard for facts——

Some hon. MEMBERS. Order, order.

Mr. OLIVER——perhaps the facts——

Mr. BRADBURY. Mr. Speaker, I appeal to you against language such as this.

Mr. SPEAKER. I think it is going a little too far.

Mr. OLIVER. Instead of saying that my hon. friend had no regard for facts, I corrected myself by saying he had very little regard for facts.

Mr. BRADBURY. I have treated the hon. gentleman fairly, and I expect similar treatment from him.

Mr. SPEAKER. I think that the expression, 'no regard for facts' is not parliamentary.

Mr. OLIVER. We need not interrupt upon these little points of difference; what we want to do is to get at the facts. Now the facts are—

Mr. BRADBURY. Be fair and it will be all right.

Mr. OLIVER. The facts in regard to this case are all on the table of the House. My hon. friend has asked for returns from time to time and every return that he has asked for has been laid on the table. If there is anything more that he wants he should ask for it. If his case, as substantiated by the documents before the House, is not complete it is his fault and not ours. But the case is complete, he has asked for

everything and he has received it. Now, the documents on the table of the House show that the surrender of the lands of the Indians was the result and grew out of the attempt that was being made to secure the rights of whites and half-breeds who held lands individually within the area occupied by the reserve. There was no premeditation in regard to the surrender of the reserve.

May I give an explanation to the House as to the condition of this reserve so as to make it absolutely clear that what I state is the fact and so that the House may draw its own conclusions as to what my hon. friend stated. This reserve is situated on the Red river. The Red river, as the House knows, empties into Lake Winnipeg and the valley of the Red river, being very low, at the entrance of the river into Lake Winnipeg, there is a considerable area of what may be called debatable ground, land which, under certain circumstances, is dry and under other circumstances, wet. Sometimes it is an impassable marsh, and sometimes it is good hay land.

The northern limit of settlement along the valley of the Red river occurs within the limits of this reserve. Let me emphasize the point. The northern limit of settlement in the valley of the Red river occurs within the limits of the St. Peter's Indian reserve. From the international boundary to this northern boundary of settlement, along both sides of the river, when the transfer from the Hudson Bay Company to Canada occurred, the territory was occupied by settlers to the end of the arable country at the edge of the marsh which forms the southern end of Lake Winnipeg, and one of the first acts of the Canadian government on taking possession of the country was to cause a survey to these lands in what was called the river settlement extending from the 49th parallel to Lake Winnipeg, and what afterwards became the St. Peter's Indian reserve was surveyed into river lots just the same as all the rest of the valley. This was done because it was in the occupation of a settled population whose rights were exactly the same as of all the rest of the people who were settled along the Red river. After this river lot survey had been made, a certain portion of the people who occupied these river lots in what is now the reserve, decided that they would, as it is called there, enter the treaty. There was a very large admixture of Indian blood and as also of white blood in the people settled in that area, but the Indian blood I presume predominated, and as a result those occupants of these river lots, for one reason or another, whether owing to the predominance of Indian blood or for what other reason I am not here to say, decided that they would enter the treaty and that this portion of the Red river valley surveyed into river settlements should be declared an Indian reserve. But although some of the people who were settled in that area wished to be classed as Indians there were certain others who did not, who refused to surrender their citizenship and insisted on retaining their individual property as individuals and this they were allowed to do, while the so-called Indians, although they got the benefit of treaty payments, although they had the benefit of the presence of an agent, although in law they were only Indians, still continued to occupy the same river lots, they and their families, until the recent arrangement was made with them. So that so far from these people being Indians in the ordinary sense of the word, or this being an Indian reserve in the ordinary sense of the word, the statement that this was the fact, if my hon. friend made it, was, as I said, an inexactitude. After these people had decided to be classed as Indians, being entitled under the Indian treaty to a larger area of land than was included in the river lots which they occupied, there was set apart as an Indian reserve for their benefit a certain surrounding area of land, making in all some 50,000 acres roughly speaking, which was placed under the jurisdiction of the Indian Department with an agent at Selkirk. This Indian reserve adjoined, either actually or approximately, the town of Selkirk which had been founded there, I think I am correct in saying, before this land was set apart as an Indian reserve.

Mr. BRADBURY. Is the hon. gentleman aware that the town of Selkirk takes in the first 15 lots of St. Peter's reserve?

Mr. OLIVER. Then my hon. friend and I are in agreement as to the proximity of the town and the reserve. I am glad to find a point of agreement in the remarks I made, although I was not able to find any such point in the remarks of my hon. friend. This area was set apart as an Indian reserve, with all the advantages and all the disabilities of such a reserve, and I need not point out to those members who are familiar with the conditions existing where there is an Indian reserve, near a town that that condition is not good either for the town of Selkirk, or for the Indians occupying the reserve. I need not go into details, every member who knows anything about the circumstances connected with an Indian reserve in proximity to a town knows the facts to be as I have stated. What made the matter worse, however, was that these river lots which had not become part of the Indian reserve, but which were occupied by people, either whites or half-breeds, who claimed the rights of citizenship, were included in that area, alternat-

ing with the lots that belonged to ordinary Indians, and the result was that there was no possibility of enforcing the liquor law in regard to Indians in that area, because intervening lots that belonged to white people or half-breeds, were not under the Indian Act, and the fact that they were there, intermingled with the lots which belonged to the Indians, made it a simple, actual, physical impossibility to preserve law and order in all particulars upon that reserve, as it can be preserved on a reserve where there is no such intermingling of private property and band property. Whatever may be the claims of the Indians upon the consideration of the government, I suppose everybody will admit that the people who are not Indians are entitled to consideration, to claim the attention of the government, and so from time to time, from the setting apart of the reserve, complaint was made by citizens who held property within the reserve, who asked title to their property. I shall not take time to explain the conditions that surround the granting of title in such cases, I will only say that there were such difficulties, and that they occurred not in all cases, but in a very considerable number of the cases. From time to time the effort was made by the government of Canada, by commissioners sent there, to secure a settlement as between the Indian band and the individual holders of land within the limits of what is called the St. Peter's reserve. Up to a certain date some 5,000 acres of these private properties had been patented; but there still remained a number of claims that had not been settled, where private owners occupy river lots in the reserve claimed that they were entitled to patents, and the Indian band objected to the patents being granted. It was to secure a settlement of that condition of affairs, to secure the citizens of Canada who own the land within the limits of that reserve their legal title to their own land, that the commission in the person of Chief Justice Howell was appointed. Chief Justice Howell was asked to act as commissioner for the purpose of adjusting the claims of the white and half-breed occupants of river lots in the St. Peter's reserve.

Mr. MIDDLEBRO. May I ask if that was the only object for which he was appointed ?

Mr. OLIVER. The only object of his appointment is set out in the papers before the House. It is not necessary to question me on these points—the papers are here for hon. members to see for themselves. Do not ask me; do not depend on what I say; go to the record. I am not asking that my word be taken on any of these matters. I am simply placing before the House in brief form the information contained in the papers before the House, brought here at the request of the hon. member for Selkirk, and in regard to which he should have fully informed himself if he did not.

Mr. BRADBURY. I think I did.

Mr. OLIVER. Then my hon. friend should have informed the House.

Mr. BRADBURY. I think I informed the House.

Mr. OLIVER. He took plenty of time. There was no lack of time, whatever other lack there might have been. Chief Justice Howell was given a commission to adjust these claims of the white or half-breed settlers, and when he went there and undertook to get that adjustment, he found the condition to be such as to make it almost impossible for him to secure a settlement that would be mutually satisfactory to the settlers and the Indians, and he then suggested, or the reasons that I have given, that there should be a surrender of the Indian reserve secured.

Mr. BRADBURY. Did the suggestion come from Chief Justice Howell to secure that surrender, or from the Minister or the Department ?

Mr. OLIVER. My hon. friend can answer the question for himself. Chief Justice Howell's instructions from the department are on the table. I ask the hon. gentleman, did the suggestion come from the department or from the Chief Justice ?

Mr. BRADBURY. I ask you; you are the head of the department.

Mr. OLIVER. I have stated what I have stated.

Mr. MEIGHEN. Will the hon. gentleman deny that in the body of these instructions there is the suggestion that Chief Justice Howell obtain a surrender from the Indians ?

Mr. OLIVER. Does my hon. friend say there is ?

Mr. MEIGHEN. I so read the papers, that the suggestion was embodied in the instructions from the Deptartment of the Interior.

Mr. OLIVER. My hon. friend states that there was a suggestion contained in the body of the instructions. There was not an instruction to secure the surrender.

Mr. MIDDLEBRO. May I point out to the minister this clause from the instructions :

It may also become necessary to consider the advisability and necessity of obtaining from the members of the band a surrender of all ungranted lands in the reserve.

Mr. OLIVER. If my hon. friends can translate those words into an instruction, they are welcome to their interpretation. I

said that Chief Justice Howell was instructed to secure the rights of the citizens who held lands in the reserve. I gave it to be understood by the House that he had not been instructed to secure the surrender. The House has heard the instructions, and is the judge as to whether I stated what was correct or not. There is no hope, Mr. Speaker, of my hon. friend and myself understanding these things alike. I said at the beginning, in order to reach a conclusion let us have the records on the table of the House, and then we will know whether facts are as stated or not. In this case the fact was stated. It was challenged and the fact was proven from the records. I say that when Chief Justice Howell, acting on his instructions, visited the reserve and attempted to make an arrangement that would protect the rights of the individual owners of property there, he found that it would be necessary, in order to reach a conclusion satisfactory to all parties, to secure the surrender from the Indians. Now, the charge of my hon. friend from Selkirk was that the department had deliberately planned to secure that surrender for the purpose of improperly benefiting their party friends. I have stated the facts as to how the negotiations came to be entered into, and I ask the House, is there a shadow of foundation for the suggestion my hon. friend has made? Does he suggest to this House that the hon. the Chief Justice of Manitoba, who was authorized to settle certain conflicting claims on the reserve, went on and negotiated the terms of a surrender upon the instructions of this government and with the view of advantaging the party friends of this government there? That is what my hon. friend insinuated in his address of last night. The facts that I have stated justify every word that I have used in regard to my hon. friend and his remarks. Here was a condition of affairs that required adjustment, required to be dealt with, in the interest of the town of Selkirk, in the interest of the Indians and in the interest of the private holders of land in the reserve; and Chief Justice Howell, having been appointed commissioner to settle one side of the question, went on and made negotiations that resulted in the settlement of the whole question. So far, therefore, as that insinuation of my hon. friend is concerned, I leave it to the House to judge what foundation he has for it.

In regard to granting land to the individual Indians in their own right, let me give the reason why that was done. These Indians were occupants of these lands in severalty at the time of the transfer. They did not become Indians in law until some years after the transfer. It is held, and the documents on the table will show how and to what extent it is held, that as residents of Manitoba in occupation of lands at that time, they might reasonably claim consideration under the settlement that was made with the settlers of Manitoba of that date, in addition to their claims as Indians. That is to say, the claims which they held as Indians would not necessarily debar them from asserting claims for lands as original settlers in the province of Manitoba; and in order that that question might be settled, they were dealt with on the basis of giving out of this reserve 16 acres to each person in each family on condition that they signed away any rights they might have as original settlers in the province of Manitoba. It was for the purpose of quieting their title to land as original settlers that this arrangement was made with them, and it is so set out in the papers on the table and in the receipts for patents signed by all of those who received patents.

As to the providence or improvidence of this particular feature of the transaction, I submit that in dealing with men who were individual owners of lands in 1871 and who were in individual occupation of that land down to the time of the negotiations for the surrender, it was not on the face of it an improvident transaction to place these men in individual ownership of that amount of land as a settlement of their title, not as Indians, but as white men or half-breeds. They had their rights as Indians, they were entitled to other rights as half-breeds, and it does not seem unreasonable that they should say: So far as our rights as Indians are concerned, the department shall administer them, but so far as our rights as half-breeds are concerned, we will administer them ourselves. That was the position of affairs. It was a condition of the surrender without which the surrender could not have been secured. It was considered by the commissioner who negotiated the surrender to be sound law and sound policy, and it was embodied in the terms of the surrender. Now, it is a fact that when the terms of the surrender were first drawn, a provision was made that the handling by the Indians of this land individually granted would be by the Department of Indian Affairs; but the people who were to sign the surrender, the people who owned the land, either as Indians or half-breeds, were the people to say what terms were to be contained in the deed of surrender before they would sign it, and they said they would not sign it with that condition in it, and it had to be struck out.

As to the disposition that these people made of their lands after they had been granted to them, in a large number of cases they sold the land to whomsoever would buy at the price they were willing to take. I do not know what my hon. friend or the other critics of the government in the House would have in regard to such a matter; but any assertion or insinuation that there was any pressure or

any possibility of pressure on the part of the government or any body connected with the government to compel one of these men to sell any portion of this land to any certain person or to take any certain price, is absolutely without foundation, as the records show.

Mr. BRADBURY. Putting up a straw man to knock him down. Nobody said that.

Mr. OLIVER. My hon. friend says he did not say that. There was a great deal that my hon. friend did not say that he insinuated. I am not insinuating; I am saying, and I hope my hon. friend understands what I have said. The land that was apportioned to these people they were permitted to select themselves; they selected it where it suited them best, some in the river lots and some in the surrounding section survey; they sold to whomsoever they pleased and took whatever prices they saw fit to take. My hon. friend read to the House certain prices at which certain of these lands were sold to individual buyers, and he claimed that there had been impropriety in dealing with the transaction. Without unduly delaying the House, I will read a very short list that will, I think demonstrate that these men sold at whatever they saw fit to whomsoever they saw fit. Last night my hon. friend laid a great deal of stress on certain affidavits of one William Asham, and the House was informed that this William Asham was a man of exceptional abilities and attainments—a John Norquay, in fact. Anybody who knows anything of the history of Manitoba knows that John Norquay was the premier of that province for many years, and filled the office with a great deal of credit to himself, his province, and the race of people to which he belonged; so that when my hon. friend states to the House that William Asham is a man of the calibre of John Norquay, he assured the House that he is a man who knows how to handle his own business; and the records show that William Asham, who was a participant in these grants, sold 40 acres of land to G. H. Funk at $4 an acre. Now, if William Asham is the man my hon. friend said he was, and I take for granted that he is—I know nothing about him personally—and he sold his land to G. H. Funk for $4 an acre, I presume he took that price because that was its value. From what my hon. friend said here last night, I presume Mr. Asham had all the assistance he could give him, all the advice he could give him that would prevent him selling his land at anything less than its value, and the record shows that William Asham sold a certain amount of the land he owned at $4 an acre. I submit this to the House as evidence that the land was sold at the absolute discretion of the Indian and at a price that was satisfactory to him, and when my hon. friend suggests to the House that because in a large number of cases this land was sold at $4 an acre, it was sold below its value, I say he has no evidence whatever in support of such a contention. But it was not all sold at $4 an acre. I find that Henry Cook sold 25 acres to George H. Funk for $430, or at the rate of $17.50 an acre.

Mr. BRADBURY. Who is Funk?

Mr. OLIVER. I do not know anything about him except his name. He seems to have bought a good deal of this land and to have paid for it, and so far as I know, to be on good terms with the owners who sold him the land. I take it for granted, however, that he is not a friend of my hon. friend from Selkirk (Mr. Bradbury).

I find that John James Flett sold 48 acres to the Northwest Land Company for $728, or $16.20 an acre. I find that Baptiste Leclair sold 32 acres to Leonard for $540 at the rate of $16.50 an acre.

Mr. MIDDLEBRO. From what is my hon. friend reading?

Mr. OLIVER. From Mr. Williams' report. Chief William Prince, the chief of the band who was said to have been bribed and bought and to have generally disgraced himself, and who at the same time might be supposed to be fairly sharp at making a bargain, sold 147·25 acres for $7.25 an acre. Alfred Spence sold two lots of land, one of 20 acres to the Northwest Land Company for $240, at the rate of $12 an acre, and one of 12 acres to F. Heap for $32, at the rate of $2.70 an acre.

It would seem to me that the figures I have read are evidence that the Indians to whom this land was given exercised their free right to dispose of it if they pleased, as they pleased, to whom they pleased, and at whatever price they pleased to take.

In view of the assertions that had been made, in view of the rumours that had come to me in regard to improprieties in the transactions between the people who had bought the lands and the Indians, contrary again to what my hon. friend suggested last night, as I told the House I contemplated doing, I sent the law clerk of the department to Selkirk with instructions to see the Indians who had sold land, and to find out whether they had been paid or not, the rumour being that they had not been paid, and that they were being cheated out of the money they were entitled to receive at the price at which they had sold. I told the House at the time the matter was in question that the government did not pretend to control the Indian in the price at which he sold the land or the person to whom he sold, that was a part of his right under the surrender; but as to whether he was getting the payment for it

or not, that was a matter that we might very well consider, and I proposed to consider it, although I did not hold the department responsible for the price at which the Indian sold or the person to whom he sold. The law clerk was sent there, and I have placed on the table his report from which I read. In that report will be found the name of every Indian to whom land was given and the disposition that was made of the land. My hon. friend had that report in his hand, he knew that the lands which I have mentioned had been sold at the prices I have given, but he saw fit last night in discussing this matter before the House to create the impression that the land had been sold at a price of some $4 an acre, without exceptions such as this, exceptions which absolutely prove that the Indian had the free right of sale and that he got value for what he had to sell.

In regard to the taking of the surrender, my hon. friend was strong on the point that there had not been a sufficient advertisement or notice that the surrender was about to be asked. It is a fact which the records will bear out that the negotiations in regard to the surrender were in progress for the greater part of a year at intervals. Every Indian on the reserve knew that these negotiations were in progress. There are no people in the world who gather news quite as quickly as the Indians, especially news of direct interest to themselves, and there is no manner of doubt that they all knew and discussed the terms that were proposed, and that when Mr. Pedley went there on the completion of the negotiations, or the presumed completion of the negotiations by Chief Justice Howell, to take the formal surrender, the Indians thoroughly knew what proposition was being put before them and had their minds made up as to whether they would agree to it or not. My hon. friend said last night that only one day's notice was given for the gathering of the band. My information in that regard, as I am sorry to say in so many other matters, is quite different, it is that some three or four day's notice was given, and that there was an attendance of the band at the surrender of 205, out of a possible 289. It seems to me that the proportion of voting members of the band in attendance is ample evidence that ample notice was given, and that those who were not there were absent not because they did not know but because they did not care to be there. It is true that the surrender was carried by only a small majority: the vote, I am informed, was 107 to 98. But it was a majority of the voting members of the band who were present there, and the Indian Act recognizes that a surrender agreed to by a majority of the voting members of the band is a legal surrender.

Mr. BRADBURY. The hon. gentleman says that the Indian Act provides that a majority present at the meeting may dispose of the Indian reserve. Now, if that is a proper interpretation of the Act, and if there were only 20 Indians present out of 289, would the hon. gentleman say that the majority of these 20 had a right to vote away the inherited rights of all the other Indians?

Mr. OLIVER. As I understand the law, they would have the legal right, but I would not consider they had the equitable right. But I do think that under the law, when there are 205 out of 289 present, they have not only the legal but the equitable right to decide, especially when it is a matter which had been under discussion for so long a time. As to the actual moment of taking the vote, as to what was done then, or how it was done, my hon. friend admits there was a fair division between the people who were voting for and against, those who stood on one side and those who stood on the other side. His suggestion that they did not know what they were voting on, is not worthy even of himself or of the Indians. They knew perfectly well. After a matter has been under discussion by them for a whole year, and they are asked to come and vote on a question, I say it is an insult even to an Indian to suggest that he does not know what he is doing or why he is doing it. From my acquaintance of the Indians, I think there are no people in the world who are quicker to appreciate their own side of the question than the Indians. So I say that the surrender was secured in a legal form, after due notice, in presence of a sufficient number of members of the band to constitute an equitable as well as a legal right. I say it would not be proper, it would not be sound policy in any sense, if, when it was absolutely in the interest of the public, absolutely in the interest of the Indians, and absolutely in the interest of the surrounding settlements and of the settler within the limits of the reserve, that this settlement should not take place, that it should not be accepted and acceded to when a clear majority of those present voted for it.

Mr. HUGHES. If I heard the hon. member for Selkirk aright, he pointed out that the call was not to those who were for selling the lands and those who were against it, but the call was for those who wanted the $90 to take one side, and those who didn't want it to take the other side. I know the minister has overlooked that.

Mr. OLIVER. No, I have not overlooked it. I can only say that I did not wish to be discourteous to the hon. gentleman, and question the validity of the statement he put forward. I am merely generalizing in order to save his feelings, and I may be pardoned, I presume, for again generalizing, and again saying that after a question

such as that had been under discussion for so long a time, when it was a question of such importance, it did not matter what was said in regard to the vote. Those Indians knew what the vote was for, and they voted for or against with full knowledge of what they were doing, and why they were doing it. I do not wish to bring in personal matters, but my hon. friend, followed by the hon. member for Victoria (Mr. Hughes) has seen fit to mention the name of Mr. Semmons.

Mr. HUGHES. I never heard of him.

Mr. OLIVER. If he had listened to the speech of the hon. member for Selkirk last night he would have heard of him, because it was Mr. Semmons who was said to have made this announcement. Now, the suggestion is that Mr. Semmons was a party to an impropriety in which the interest of the Indians was not preserved. Now, I may go, perhaps, so far as to say who Mr. Semmons is. I happen to know Mr. Semmons ever since 1873, when he was a Methodist minister in the city of Winnipeg, and at that time he was considered to be a young man of very considerable promise in the ministry, and ever since then he has devoted his life to the advancement and the betterment of the Indians.

An hon. MEMBER. He is in the employ of your department?

Mr. OLIVER. He is at the present time, but only since a comparatively recent period. During the greater part of Mr. Semmons' life since I knew him in Winnipeg in 1873, his life and everything he has have been at the service of the Indians, for their benefit and improvement ever since. No man who knows Mr. Semmons will deny that, and no one who knows him will deny that Mr. Semmons can be now any less a Christian gentleman and an honest man than he was when he was a Methodist minister.

Now, in regard to the auction sale. My hon. friend suggests that there had not been sufficient advertising done to give due notice, and that consequently there was a small sale, and low prices were secured. The records show that the sale was advertised in the Manitoba 'Free Press' at Winnipeg, in the 'Daily Graphic' of Portage la Prairie, in the 'Expositor' of Selkirk, in the Brandon 'Sun,' in the Winnipeg 'Logburg,' and in the Toronto 'Globe.' The advertisement appeared for six insertions in the Winnipeg 'Free Press,' for three in the 'Daily Graphic' of Portage la Prairie, for three weeks in the 'Expositor' of Selkirk, for six insertions in the Brandon 'Sun,' three weekly insertions in the 'Logburg' of Winnipeg, and six insertions in the Toronto 'Globe.' I may point out that the 'Logburg' of Winnipeg is printed chiefly for the information of the Icelanders who are settled on the shores of Lake Winnipeg further north than the mouth of the Red river. So there was unquestionably ample notice by advertisement of the sale and its terms.

Mr. CAMPBELL. Would the minister say of what complexion of politics those papers are?

Mr. OLIVER. I do not know, but I am under the impression that the 'Expositor' of Selkirk is a Conservative paper. My hon. friend from Selkirk will know that better than I do.

Mr. BRADBURY. The hon. gentleman knows that the 'Expositor' is a Liberal paper, for he has had business with it.

Mr. OLIVER. The point there was that it was a local paper, and the advertisement appeared in the local paper for three weeks. It appeared six times in the Winnipeg 'Free Press', a paper which is read more than any other paper west of Lake Superior. It appeared in these papers and besides there were 100 handbills distributed at the time of the sale. The sale was held in the town of Selkirk, absolutely adjacent to the reserve and within twenty-five miles of the city of Winnipeg, the greatest centre of real estate speculation in the known world to-day. Yet, my hon. friend says that it was not sufficiently advertised.

Mr. BRADBURY. Would the hon. gentleman tell us at what time of the year the sale took place?

Mr. OLIVER. My hon. friend (Mr. Bradbury) told the House last night. The record is before the House. It took place on the 16th December.

Mr. BRADBURY. In the middle of a Manitoba winter?

Mr. OLIVER. Sure. It took place in the month of December for one reason, and that was that in the month of December, when the early crop returns for the season are in, the people have more money than they have at other times in the year.

Mr. W. H. SHARPE. I would like to ask the minister why he sells school lands in June and July, then?

Mr. OLIVER. I would be glad if I might be permitted to continue my remarks without interruption, but seeing that my hon. friend (Mr. Sharpe) has asked the question, I feel bound to answer it. I would ask hon. members, unless they wish to elucidate some point which is actually under discussion, not to interrupt, because I would like to get through without undue delay. The reason that we advertise school lands in June and July, or in the summer time, is because the school lands are scattered far and wide in the purely agricultural country, and it is neces-

sary for people to travel to see what the land is like, whereas, in this case, the land was situated within twenty miles of Winnipeg, it was land that anybody, who was at all likely to purchase, that is the people of Winnipeg and Selkirk, had no doubt made themselves familiar with in due course, knowing that it was going to be sold. Unquestionably they had made themselves familiar with it during the summer. It was desirable that the sale should take place and nobody was prevented from buying by holding it on the 16th December. The date of the sale of school lands has no bearing on the question whatever. This sale took place at a time when money would be plentiful if ever it was plentiful at any time in Manitoba. However, as my hon. friend has mentioned the subject of school lands, I might perhaps give him some information with regard to the sale of school lands which may have some bearing on this question. My hon. friend has suggested that the course taken with regard to school lands would be a proper course regarding these Indian lands, the supposition being that, thereby and therefore, the price would be better either because of better advertising or of holding the sale at a better season, or because there is no suggestion of attempting to benefit friends of the government in connection with the sale of school lands.

Mr. W. H. SHARPE. I think the minister is trying to twist this thing. What I want to know is why the minister sold this land in the winter time when he sells school lands in the summer time?

Mr. OLIVER. I told the hon. gentleman. Now, I am going to tell him something else if he will permit me. I might remind the House that the terms of the sale of school lands are considerably more favourable to the buyer, as they do not call for such a large amount of money, than were the terms of sale of these Indian lands.

Mr. MIDDLEBRO. Why?

Mr. OLIVER. I do not know that I need answer that question—need I? I will not use a word because it would be unparliamentary, but any person can ask a question that even Solomon could not answer.

Mr. MIDDLEBRO. I asked the question in no spirit at all of antagonism to the minister, but it just occurred to me that the minister might explain to the House why there should be a difference in giving easier terms in the disposal of school lands than in the disposal of this land, if the result would be to get higher prices.

Mr. OLIVER. The reason was, if the hon. gentleman does really insist upon it, is because in the case of the Indians we desired to realize at an earlier date for the sake of the Indians than in the case of the school lands which are sold chiefly and largely as agricultural lands in the hope of inducing settlement upon them. We had to close out this transaction, and therefore by giving a reasonable time we thought we were doing what was best in the interests of the country. In regard to the school lands it may not be out of place to inform my hon. friend that we held several school land sales on June 10, 1909, the lands being situated largely in townships 12, 13, 14 and 15, ranges 6 and 7, east of the 1st meridian; that is to say in the Selkirk area of Manitoba, east of the Red river, and in a northerly and easterly part of the province. We find that ten quarter-sections sold at $5 an acre. With the favourable terms that are accorded school lands, under the satisfactory advertising that is given school lands, under all the favourable circumstances that go with the sale of school lands, these school lands in that part of the country only brought $5 an acre. In a number of cases lands that were put up as school lands at an upset price of $5 an acre were not sold at all. This sale was in June, 1909, a year and a half after the sale of the reserve lands, after there had been a season of great prosperity, and at the beginning of a season which turned out to be even more prosperous, and still we were only able to secure the same average price for these lands that we secured for the lands in the Selkirk reserve.

Mr. A. HAGGART. Where were these lands?

Mr. OLIVER. I have been trying to tell my hon. friend.

Mr. A. HAGGART. I never heard you.

Mr. OLIVER. Well, my hon. friend has not been listening; that is all. I might give the numbers for the benefit of my hon. friend. First there was the S.W. ¼ 11-14-6-E.

Mr. A. HAGGART. Where is that?

Mr. OLIVER. If my hon. friend will take a note of the figures I will give him he can look at the map and find out. As I have no map here I cannot show him.

Mr. A. HAGGART. The minister should know something of the geography of the country.

Mr. OLIVER. My hon. friend is a resident of Winnipeg; he has lived there a lifetime, he has been concerned in public and business affairs in that vicinity for many years. If the hon. member does not know where township 14, range 6, east of the first meridian, is, I cannot pretend to tell him. Other cases were: Southwest quarter of 11, 14, 6, $5; northeast quarter 11, 14, 6, $5; northwest quarter 11, 14, 6, $5.50; south-

east quarter 29, 14, 6, $5; east half of southwest quarter 29, 14, 6, $5; northeast quarter 29, 14, 6, $5; east half of northwest quarter 29, 14, 6, $5; southeast quarter 29, 15, 6, $5; southwest quarter 29, 15, 6, $5. They all sold at $5 an acre.

Mr. A. HAGGART. Does the minister compare those lands with the lands of the St. Peter's reserve? Why they are not worth one-tenth of the value.

Mr. OLIVER. Then my hon. friend has found out suddenly where these lands are? I am glad he has secured the information, but again I am afraid he is not correct. His inexactitude resembles very much that of the hon. member for Selkirk (Mr. Bradbury). I am afraid it is a case of the result of proximity, because on the St. Peter's reserve there are some 7,000 acres of land that could not be sold at all at any price, that was not offered for sale because it was not suitable for sale.

Mr. A. HAGGART. Because it is marsh.

Mr. BRADBURY. It is the best hay land in the country, and the minister ought to know it.

Mr. OLIVER. Very well. If it is the best hay land in the country, we have reserved that for the benefit of the hon. member's friends, and we may hope to get still higher prices for it, but I still maintain that my information and my knowledge is that a part of the St. Peter's reserve is of so little value it would not bring a price at all.

I have dealt with the auction sale and the prices received at it. Does my hon. friend suggest that at this auction sale there was not a fair opportunity for every man to buy if he wanted to buy? Does he suggest that friends of the government in any way had any advantage at that sale?

Mr. A. HAGGART. He charges it straight.

Mr. OLIVER. He charges it straight. Then I can only repeat what I said in the beginning, that in that case and on the evidence that I have placed before the House—

An hon. MEMBER. We have not got any, we are waiting for it——

Mr. OLIVER. The hon. member has given us one of those inexactitudes which are an insult to the intelligence of the House. The idea that at an auction sale of lands said to be valuable, within 25 miles of Winnipeg, whose sale had been under consideration, within the knowledge of the public for over a year, at a sale which had been advertised in the public press for three weeks, there was anything but a fair, square opportunity for any man with money to invest, is an insult to the intelligence of the House.

Mr. ARMSTRONG. Does the minister say that the lands sold by auction were similar to those owned by the Indians?

Mr. OLIVER. I exhibit a map of the reserve and the surrounding country. That which is in white is the land selected by the Indians, either held or sold by each individual. What is in red is the land sold by auction. My hon. friend can see for himself.

Mr. ARMSTRONG. That may be one way of putting it. but in the report of the department for 1909, at page 83, the Deputy Superintendent of Indian Affairs, says:

> The lands apportioned to the Indians comprise the best lands in the reserve, and the remainder sold by auction only low and swampy lands.

When the minister holds up a map, he cannot claim in the face of his deputy's words that the lands sold by auction were anything like the lands disposed of by the Indians.

Mr. OLIVER. I am afraid it is another case in which my hon. friend and I cannot agree.

Mr. ARMSTRONG. Here are the words.

Mr. OLIVER. And here are the facts; my hon. friend can take his choice. In regard to the number of people who bought land, my hon. friend was very emphatic that only so many men bought so much land. As a matter of fact, 24 men bought land at the sale, and I submit that there is no evidence whatever that any of the 24 could not have bought as much more as he wanted if he had the money to pay for it and was willing to bid on it. The idea that there was any restriction or that any man was at a disadvantage in regard to this auction sale is absolutely without foundation. My hon. friend was very insistent that this land should be preserved for a class of settlers in whom he seems to have been very much interested, the Galicians, that the government should in some way have taken the land from the Indians and given it to the Galicians. That is not the policy of the government. We deal with the Indians as trustees, and we deal with the Galicians as we do with other citizens of the country, we make no difference. But I notice upon the list of sales that were made that, if I am any judge of the names, two of my hon. friend's friends who were present at the sale, and bought land there. If two of them were there and could buy land, why could not all the rest have been there and have bought land at the same price? If his suggestion was that in any way the Galicians of that part of the country were excluded from the sale, were not able to get the benefit of it, all I can say is that two of them were there and bought at the same prices as other people, and all

the rest of them might have been there and taken the same chance and bought at the same price. My hon. firend was very insistent that none of these Indians to whom land had been deeded by patent had seen the patents.

Mr. BRADBURY. I said that of the patents that were issued, at least 90 per cent of the Indians had never seen their patents.

Mr. OLIVER. Of course, my hon. friend asked for the return, and it was brought down, showing the receipts that were given by these people for their patents.

Mr. BRADBURY. I stated very clearly, and I wish to state now, that those receipts purporting to be signed by the Indians were not signed by the Indians.

Mr. OLIVER. That is the point I wanted to get at. I have brought here, not to be made a part of the records of the House, but to be placed upon the table in the custody of the clerk, for the information of any person who chooses to examine them, the original receipts for some 338 patents. The remainder of the patents for which receipts are not here may be accounted for in several ways. Some of them are still in the department, some are still in the hands of the agent and have not been called for by the Indians, some were issued by the agent before he understood his instructions that he must take a receipt. These receipts all purport to be signed by the Indians, and where a mark is made, it is witnessed by another person. My hon. friend has said here within the last five minutes that these Indians never signed these documents. That is to say, my hon. friend has said that there have been 338 forgeries committed. This is a serious charge, and it is not for the Department of the Interior to decide whether it is true or not. The administration of criminal law is in the hands of the governments of the provinces, and when my hon. friend——

Mr. SMYTH. Is this government not the trustee of those Indians?

Mr. OLIVER. Yes.

Mr. SMYTH. Was it not your duty to see that they were properly signed.

Mr. OLIVER. We say that they were properly signed. My hon. friend controverts that. He has, on his responsibility as a member of this House, declared that 90 per cent of these signatures are forgeries. The administration of the criminal law is in the hands of the provincial government of Manitoba, who, I understood from what he said, have interested themselves very largely in regard to these lands.

Mr. BRADBURY. I made no such statement in this House, that the Manitoba government had interfered directly or indirectly. What I said was that the Registrar General, Mr. Macara, at the request of two of the hon. gentleman's friends, justices of the King's Bench, had refused to issue the titles or to allow them to pass through the office—not the government.

Mr. OLIVER. I will say an officer of the Manitoba government, I presume with the sanction of the Manitoba government. At any rate, this is a question outside of the question of what has been done with these lands. This is a question as regards the administration of criminal law. This is a question as to whether we are to have charges of wholesale forgery bandied across the floor of this House or not, and I ask the hon. member to use his influence with his friends the Manitoba government to make the charge good.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. OLIVER. When the House rose at one o'clock, I had just made the statement that I had here 338 original receipts given in return for the patents for land in this Indian reserve delivered to Indians, and I commented on the statement of my hon. friend (Mr. Bradbury) that 90 per cent of the signatures were not genuine, but were in fact forgeries. As we were leaving the Chamber at recess, I saw my hon. friend rise to make some remark, and I am repeating what I said in order to give him the opportunity of making any comment he may see fit.

Mr. BRADBURY. What I said was that 90 per cent of those receipts were not signed by the Indians knowingly, that the Indians alleged that they never signed receipts for their patents and had never seen their patents, and that consequently, if there are receipts on file in the department, they must be forgeries.

Mr. OLIVER. I can only repeat what I said before recess, that we believe these signatures to be genuine just as we believe that the patents were delivered in accordance with the terms of these receipts. My hon. friend contradicts that contention. He says that these patents were not delivered, and has repeated that the signatures were forgeries. The only way then to bring this matter to an issue is for my hon. friend, since he has taken the responsibility of making the statement that 90 per cent of the signatures were forgeries, to take such steps, as the representative of the people whose names he alleges were forged, as will have the effect of causing those responsible for the administration of criminal law to bring the law into action.

Mr. BRADBURY. If that be my duty as a representative, how much more must it be

the duty of the minister responsible for the care and protection of those Indians who are the wards of the government?

Mr. OLIVER. If the minister responsible believes what my hon. friend does, that would certainly be his duty, but he does not. That duty does not devolve on the minister who believes that the signatures were genuine, and that the patents were delivered as those receipts purport. That duty instead rests on my hon. friend who says that he believes the signatures were forged and the patents were not delivered. I do not think it is necessary that I should continue the discussion on this point any further. It is up to my hon. friend to make good what he has said.

Mr. SPROULE. If an hon. member for this House, upon his responsibility as such, makes such a charge before the minister responsible and the House, is it not the duty of the minister to institute, either by commission or otherwise, an inquiry so as to determine whether these allegations are correct or not?

Mr. OLIVER. I have no desire to be too blunt, but I must say that if I were able to accept the statement of my hon. friend, I would consider that to be my duty. I regret very much, however, to say that I am not able to accept it. According to my humble judgment, it is not warranted, and the only thing that remains to be done is for my hon. friend to take the matter before a tribunal whose business is to try out such allegations.

Mr. SPROULE. The hon. member for Selkirk has deliberately made the charge on his responsibility as a member of this House.

Mr. OLIVER. If it were the business of the Minister of the Interior to try charges of criminal or dishonest conduct, it would be my business to take action. But that is not the business of the Minister of the Interior. If there were criminality in any branch of the department by any of its officers, I would certainly have it punished, but I am not going to assert that there has been any when there is absolutely no evidence before the House to warrant any such supposition to be found in any of the documents lying on the table.

My hon. friend was not only very emphatic on the question of forgery, but also on the question of bribery, and it would not be fair to the House to drop the discussion without doing him the courtesy of dealing with his assertion on that point. His assertion, if I remember it rightly, was that the chief of the band, William Prince, and his four councillors, were bribed to sign the document of surrender.

Mr. BRADBURY. No.

Mr. OLIVER. Then that they were bribed to induce other members of the band to sign the document of surrender.

Mr. BRADBURY. The hon. gentleman, all through this debate, has shown his utter ignorance of the facts in connection with this transaction. He must know that the Indians never signed that surrender, and that the only names attached to it are those of the chief and the three councillors. The band never signed it and never were asked to sign it.

Mr. OLIVER. Then the allegation was that they were bribed to induce the band to vote for the surrender. If not, to what purpose were they bribed. My hon. friend, I understand, stands by the statement that they were bribed by the officers of the Interior Department to do something that was not in the best interests of the band. Is that the case?

Mr. BRADBURY. Yes.

Mr. OLIVER. The terms of the surrender contained a provision as to how much land should go to each individual Indian of the band, and how much to the chief, and how much to the councillors. Now, the Indians knew, before they voted, what they were voting for. The terms of the surrender had been discussed by them time and again. They were discussed on that day and the majority of the members of the band then present themselves voted to give the chief, William Prince and the several councillors a major share of that land, and how that can be construed into a bribe by the officers of the Department of the Interior or the Indian Department, I am at loss to understand. The members of the band voted the money, or the land, away from themselves to the chief and councillors, knowing what they were doing. The officials of the Department of Indian Affairs who had charge of the surrender could not, under any circumstances, have given the chief, or councillors a foot of land except the Indians voted as they did that that land should be given in that way. My hon. friend last night said something about a man named Rayner who had a bill against the government for $500 which bill was not paid by the government, and Mr. Rayner has not pressed for payment. I do not know anything about Mr. Rayner, who he is, or what he is, or on what ground he presented such a demand. All I know is that his bill was not paid, and therefore if Mr. Rayner bribed any of the Indians he bribed them at his own expense and at his own cost. 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 William 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. BRADBURY. I want to tell the House that I derive my information from the very same source, and the information that I got is correct, because I got it off the books. I saw the book myself, with the entries in it, and when the minister states that the chief had two of a family it shows how the whole statement is misleading him. Chief Williams had no family, but his wife. That accounts for the 16 acres, and I am satisfied that the statement he has read includes in each case one more of a family than those Indians really had. I got the statement from one of his own officers, off the book, and what I stated is absolutely correct.

Mr. OLIVER. This emphasizes what I said that it is impossible for my friend, and me to agree. I allowed him to make any statement he pleased last night, although I am sure he gathered from my remarks that I did not agree with him. He will have to allow me to make the statement I have to-day, and the less he criticises the sooner we will be through. I have made a statement as to the amount of land to which these people were entitled. I gave the authority on which I make that statement. My hon. friend says they were not entitled to that much land. It is a matter then between himself, and the officers of the department, and for my part I am asking the House to take the word of the officers of the department. If the word of the officers of the department is to be taken, then the statement which my hon. friend made last night was one of the many inexactitudes with which he favoured the House in his remarks. The assertion that there was bribery even in the roundabout and circuitous way he suggested falls absolutely to the ground, because how in common sense was Mr. Rayner to get any benefit from the land Chief William Prince got? If Chief William Prince could be shown to have given up anything he had that he did not have to give up, I could understand, but I think it will be difficult to prove that Chief William Prince or any other of the chiefs, councillors, or members of the band ever gave back anything to anybody that they did not have to, and certainly they would not have to give it to Mr. Rayner unless they wanted to.

It may be worth while taking the time required to place before the House the actual terms of this surrender so that there shall be no question about what its terms were. The document is as follows:

Know all men by these presents:

That we, the undersigned chief and principal men of the band of Chippewa and Saulteaux and Cree Indians, owning and resident on our reserve at St. Peter's, in the province of Manitoba, and Dominion of Canada, for and acting on behalf of the whole people of our said band in council assembled, do hereby release, remise, surrender, quit claim and yield up unto our Sovereign Lord the King, his heirs and successors forever, all and singular, that certain parcel or tract of land and premises, situate, lying and being in the county of Selkirk and province of Manitoba, containing by admeasurement 48,000 acres, be the same more or less, and being composed of the whole of the St. Peter's Indian reserve.

To have and to hold the same unto His said Majesty the King, his heirs and successors forever, in trust to dispose of the same to such person or persons, upon such terms as the government of Canada may deem most conducive to our welfare and that of our people, and upon the further condition that all moneys received from the sale thereof shall, after deducting the usual proportion for expenses of management, be paid as follows: one-half of said sum so remaining to be paid to us the year following the receipt of same by the government after sale of such lands, the balance of said proceeds of sale to be funded for our benefit and the interest paid

to us annually. At each payment as aforesaid the sum so paid shall be divided so that the chief shall receive each year the sum of $10 and each councillor the sum of $6 more than that to which the individual members of the band shall be entitled.

And upon the further conditions that out of the said St. Peter's reserve now surrendered there shall be granted an area not exceeding 21,000 acres to the members of the band as follows: to the chief 180 acres, to the ex-chief and each councillor 120 acres, and to the other members of the band in the proportion of about 80 acres to each head of a family of five; grants to be made also in similar proportion to widows and to unmarried men and women over twenty-one years of age. A list of those entitled to grants and the patents thereof, and the area covered by each, as indicated in the above proportions, shall be made by the chief and councillors and a representative of the Department of Indian Affairs. The list shall be signed by the chief and councillors and by the Indian Department representative, and shall be the final settlement of the land to be patented, and of the parties to receive the same. In addition to the said 21,000 acres above mentioned there shall be set aside 3,000 acres of hay land for the members of the band having land in the present reserve or entitled to receive land under this agreement, it being understood that the Department of Indian Affairs may from time to time reduce the quantity of hay land as the patentees sell the land so granted, and any land so taken off the land set aside for haying purposes shall be disposed of by the department for the benefit of the band.

A new reserve for this band shall be selected on Lake Winnipeg to the extent of 75,000 acres of available land, but shall not include more than ten miles water frontage.

The department is to make necessary survey of the lands to be patented and the lands sold as soon as expedient after surrender, and the patents to issue upon application of the individual Indian after the land is selected and properly designated.

My hon. friend from North Grey asked why we did not give the same length of time in selling these lands as in selling school lands. I have read him the answer.

The department shall advance at the time of surrender the sum of $5,000 to be repaid out of the first moneys received from the sale of the lands.

The treaty payments now made shall be continued, and also the yearly rations at treaty time.

A reasonable supply of agricultural implements and tools for use on the new reserve shall be supplied and distributed at the discretion of the department.

The department is to render reasonable assistance in removing to the new reserve in summer time in any year within five years of the date of this surrender.

Reasonable assistance in building on the new reserve shall be rendered by and at the discretion of the department; but any assistance so given is to be once and for all.

This surrender shall release lands in the present reserve from all claims of the band and of each individual member thereof from all or any claims under the Manitoba Act or the Indian Act, and each member of the band shall sign a release to this effect when he receives his patent. Provided that such release shall not operate to exclude the band or any member thereof from participation in the proceeds or benefits of any lands held or disposed of by the government under the provisions of this surrender or according to law.

In the event of the representative of the Indian Department and the representatives of the band failing to agree upon the list of the lands to be patented, the matter will be referred to one of the judges of the eastern judicial district of Manitoba, whose decision shall be final and binding on all parties.

And we, the said chief and principal men of the said bands of Chippewa and Salteaux Indians do on behalf of our people and for ourselves, thereby ratify and confirm, and promise to ratify and confirm, whatever the said government may do, or cause to be lawfully done, in connection with the said lands and this surrender.

In witness whereof, we have hereunto set our hands and affixed our seals this 24th day of September, in the year of Our Lord one thousand nine hundred and seven.

CHIEF WILLIAM PRINCE, (Seal.)
CR. W. D. HARPER, (Seal.)
W. H. PRINCE, (Seal.)
His
JOHN X PRINCE, (Seal.)
mark.
His
JAMES X WILLIAMS, (Seal.)
mark.
WILLIAM ASHAM, SR. (Seal.)

Signed, sealed and delivered in presence of
FRANK PEDLEY,
JOHN SEMMONS,
O. J. GRAIN,
ERNEST RAYNER.

The House will remember that last night my hon. friend read a number of affidavits from one William Asham, of whom I spoke before the House rose at one o'clock, and in regard to whom I have nothing to say, except to call to the mind of the House the tenor of the affidavit which was read by the member for Selkirk, in which Mr. Asham declared himself to be absolutely, unalterably, always and forever against this surrender of the St. Peter's Indian reserve. I am afraid that Mr. Asham has suffered by reason of his association with the member for Selkirk, because I find that in addition to the signatures of the chief and councillors to this surrender, there is the signature of William Asham sr., ex-chief——

Mr. BRADBURY. I stated that Mr. Speaker.

Mr. OLIVER—placed there because he was an ex-chief. Now I want to call the attention of the House to this fact for the purpose of enabling the House to weigh at its true value the character of the affidavits with which my hon. friend favoured the House yesterday. I also wish to call

attention to the assertion he made that this surrender was secured for the especial benefit, and for the purpose of advantaging certain Liberal friends of the Liberal government. I would take it for granted, then, that no opponent of a Liberal government would identify himself in any way with this surrender. But I find amongst the signatures of the witnesses to that surrender the following names: Frank Pedley, John Semmons, Ernest Rayner, O. J. Grain. Dr. Grain happens to be the Conservative member in the provincial legislature for the locality in which this surrender took place. I do not know Dr. Grain, I assume however that he is as reputable as my hon. friend the member for Selkirk, and that he has just as much at stake in putting his signature to this document as Mr. Ernest Rayner, or Frank Pedley, or Mr. Semmons, or anybody else. Now I do not wish in any way to shelter the department or any officer of the department behind any political consideration, but I do want to point out that the assertion which the hon. member has made as to the partisan character of this transaction is exactly in line with the rest of his very lengthy discourse, and the signatures, and documents are evidence on the subject. The question was raised as to what instructions had been given Judge Howell regarding the surrender of the Indian reserve. I said no instructions had been given Judge Howell, but in the instructions which were issued to him in regard to the settlement of the rights of individual citizens, mention was made of the desirability of securing a surrender. The foundation of the suggestion will be found in a report that Mr. Rothwell, law clerk of the Department of Interior, made on the 3rd of August, 1900, surely long enough ago to relieve us from the imputation that the reason of the surrender was the result of a plot. Mr. Rothwell had been sent to report on this same matter that Judge Howell was afterwards asked to deal with. Mr. Rothwell said:

From what I have been informed as to the reserve and its present members I consider, however, that it would be in their interest and in the public interest if an arrangement could be made with them in accordance with which they would surrender all lands in the reserve to Her Majesty, those of them who would accept separate grants of land, and scrip for say $160 to heads and $240 to children to be given such grants.

The report of 1900 contemplated this very matter at issue, of land being held in severalty, and the disposition which actually took place under the negotiaions conducted by Chief Justice Howell:

And the few who I understand will prefer to remain Indians, to be given reserves elsewhere and to be given such wagons, animals and other presents as may be a fair consideration for their joining in the surrender. All claims to land outside of a few I will report upon separately which I think can be dealt with at once, from the evidence on file here, can then be easily settled, and what lands remain could then be disposed of, the proceeds derived from their sale to form a fund for those members of the band who prefer to remain in treaty. In this way the few old people amongst them would receive very generous treatment, to which they are of course entitled.

So that in the year 1900, arising out of exactly the same circumstances, we have a report from an officer of the department at that time almost identically in line with the action that was afterwards taken.

Mr. J. HAGGART. I do not understand that report clearly. Is that a recommendation from one of the officers of the department that tribal ownership should cease and that the land should pass into the individual hands of the Indians.

Mr. OLIVER. He says 'partially'.

Mr. J. HAGGART. Do you approve of that?

Mr. OLIVER. That is what was done. All I am trying to make clear is that what was done was not the result of a conspiracy, as my hon. friend has suggested, but the result of consideration by officers of the government who could not possibly, under any circumstances, have had any interest or object in making such a report unless it was in the best interests of the country and of the Indians according to their belief and judgment.

Might I trouble the House for a few minutes to give a few words contained in the report of Chief Justice Howell on this transaction, first, to show the necessity for the surrender which was secured, and for the removal of the Indians in their own interests. He says:

The evidence of Mr. Vaughan—

That is the surveyor who made the first survey of the settlement in 1874.

—shows that at the time of his survey the people of this Indian settlement were then quite thrifty, the most of them could speak English, they were largely crossed with white; they had horses, cattle and poultry; their houses were well built, better even than now, and their homes were those of whitemen rather than Indians. His map shows the houses by black dots, and the pink colouring shows the extent of ground then cultivated.

The evidence was that these people were retrograding instead of advancing, and the belief was that it was because of their situation, and that their own interest required that they should surrender their lands and be transferred to another location. Further on Judge Howell says:

Early in the investigation these claims—

That is of the Indians:

—and matters were brought before me. Out of about 50,000 acres, which remains of the reserve after deducting the area already patented, not more than 250 acres are cultivated.

Out of 48,000 or 50,000 acres only 250 acres were cultivated after an occupation in severalty by these people from 1874 to 1906. Surely that was a condition that called for some effort on the part of a government that had some regard for the interests of the Indians, and the progress of the country. It goes on to say:

Without giving further reasons for my urging the surrender and without further description of the negotiations I can only say that they were the best I could get. Best for the government and best for the Indians, and without any hesitation I recommend the carrying out of the same.

That is to say the Chief Justice of Manitoba, who took a deep personal interest in this matter, and who had been familiar with it by reason of long residence in Manitoba, places himself on record as recommending this transfer as being the best that could be secured. It is true that Chief Justice Howell did not carry it out. My hon. friend laid great stress last night upon that fact. Truly, the surrender had actually, in form, to be conducted by the proper officer of the department, but Chief Justice Howell takes the full responsibility for the terms of the surrender in the words I have read, and I do not know where I could go, as minister of the department, to get better information or advice or more impartial or intelligent treatment of this question than to the gentlemen who penned that report. He says:

The new reserve is accepted by the band in full satisfaction of all damages claimed and of all rights, individual or tribal, asserted as above set forth:

It might not be improper for me to add that in my view of the matter the government by granting a new reserve of 75,000 acres have readily and cheaply got out of a nasty tangle and have greatly benefited the band, and have taken a step which in the near future will relieve the locality of an undesirable element, to say the least.

I might mention that in the area of the reserve the number of claims occupied by people who were not Indians was 30 on the river lots, and one in the township survey with an approximate population of 157. It was the rights of these people that were the first consideration of the government in sending the commission. The transaction with the Indians by which the surrender was secured was an after, subsequent and subsidiary consideration, but as it turned out, was necessary in carrying out the first idea that we had and was generally to the benefit of all concerned. My hon. friend drew attention last night to the fact that some of this land which had been sold at $5 an acre has since been sold at $50 an acre, and he asks the House and the country to believe that the government has in some way damaged either the Indians or the country by its course, of which this is the result. I can only say that the avowed purpose of the government in securing the surrender of the land in this reserve was that it might be enhanced in value, and that it could and would become enhanced in value by reason of the surrender they secured. And if my hon. friend thinks that the fact that this land has since appreciated in value is a condemnation of the government. I am here to claim that it is a justification of the government, and an endorsement of their policy in securing the surrender.

Mr. BRADBURY. The band has not changed in value. The land was sold since its surrender at its actual value; it was sold before by the government at a value that was ridiculously too low.

Mr. OLIVER. I do not know that we need waste the time of the House discussing that feature at any great length. The value of the land does not depend solely upon the quality of the land itself, it depends upon the conditions of social life surrounding the land, and anybody—unless it might be my hon. friend (Mr. Bradbury) —can understand that land within an Indian reserve occupied by people who are not subject to the same rules of life and law in many ways as other people; anybody can understand that such land, no matter what its quality, could not have a merchantable value equal to what it would if the conditions of settlement and social life were absolutely the reverse. Everybody knows that the value of the land depends as much upon the character of the settlement upon the land and its surroundings as it does upon the quality of the soil. It does not do any good to say that this land is in the fertile Red River valley, for, let it be as fertile as the land of Egypt and let it be peopled by those who are not subject to the laws of civilization, it will not and cannot have its real value because people of progressive mind and tendency—the only people who have money to buy land at a high price—are the people who will not live in such conditions and do not want such land at any price. That was the condition on that reserve, and it was to change that condition that we secured the surrender, and the town of Selkirk and that section of the province of Manitoba are the gainers by the action the government took, in proportion as the statement of my hon. friend (Mr. Bradbury) is correct.

Mr. BARKER. Was there any difficulty at all in the government obtaining the sur-

render and then selling directly to the people who wanted the land at its value instead of using middlemen?

Mr. OLIVER. According to the terms of the surrender I read, part of the land on the reserve had to be handed over to the Indians in severalty in submission of the claim they had under the Manitoba Act. The balance of the land was dealt with by the government and sold by public auction, and there was no middleman in the transaction. The sale was advertised, it was within 25 miles of the greatest centre of real estate speculation in the known world, and the man who suggests that that land was sold below its actual value at that time is simply trifling with the people who hear him.

Mr. HUGHES. When was the sale?

Mr. OLIVER. December 16, 1907.

Mr. HUGHES. What price?

Mr. OLIVER. The average price of the land sold at auction was between $5 and $6 an acre. Now, it does not make any difference whether the land was sold at $1, or $10, or $50 an acre; it was sold at public auction after due advertising, and it brought every dollar there was in it at that time.

Mr. BRADBURY. Does the hon. gentlemen mean to tell this House that he considers 6 days advertising 18 days before the sale took place in the middle of winter due advertising? Why, it is ridiculous.

Mr. OLIVER. Well, Mr. Speaker, if I was as tender as my hon. friend is I would ask your ruling on the use of that word, but when it comes to a question of that kind I am quite ready to leave myself in the judgment of the House. The sale was advertised for three weeks in a paper that was published in the town in which the sale was made; it was advertised for three weeks in a paper published in Winnipeg which circulates chiefly among the people who live near the town of Selkirk. I will not allude to the hon. gentleman (Mr. Bradbury), but any man who says that the public of Manitoba did not have full and ample notice of that sale is—you must understand, Mr. Speaker, that I am not referring in any way to the hon. member or to any member in this House—but I say that such a person is absolutely disregardful of the truth. The allegation may be that the land which was handed over to the Indians in severalty in extinguishment of their right under the Manitoba Act was sold to middlemen, and that the public did not have a fair opportunity to bid for it or that the Indians did not get a fair price, but as a matter of fact that land sold at practically the same price as the land that was sold by auction. That is to say, that the average price was about the same, but the actual price varied from $2 per acre to $20 per acre. So, I say the transaction was in the open light of day, that every opportunity was given for everybody who wished to benefit by the rise that must necessarily take place in the value by reason of the surrender being taken, and those who did not see fit to take advantage of the opportunity that existed at that time have no right to come to this House for sympathy or to make complaints, because they did not take advantage of an opportunity that they now see was a good one.

Mr. GERMAN. What sized blocks were they sold in?

Mr. OLIVER. I have here a list of the land sold by auction and the areas in which it was sold, and the areas vary on one page of the statement from 20 acres to 195 acres, and on another page from 6¾ acres to 76 acres, on another page from 6·31 to 137 acres, and so on. These were all sold in separate parcels, so that there was every opportunity for any man who wanted to buy a large quantity or a small quantity. Everything was done that could be done to give every opportunity to those who wished to invest in these lands, so that the Indians would receive the greatest possible amount of benefit from the sale of these lands.

Mr. J. HAGGART. Had the government any control or supervision over the lands which were given to the indvidual Indians and which they disposed of?

Mr. OLIVER. No, the government had no supervision of the private sales. The surrender as drafted provided for control by the Indian Department of the sales, but the Indians refused to sign with that provision in, and it had to be struck out. Therefore the sales of individual property which took place were without control of the government; but on complaint being made that the Indians were not being properly dealt with by the buyers, we sent the law clerk of the Indian Department to Selkirk to see that the Indians got what was coming to them. My hon. friend suggested that this was a secret mission and that this was an innocent young man. Well, I am satisfied that the man is innocent, and he is certainly comparatively young; but he has been a practising barrister of the province of Ontario for a number of years.

Mr. HUGHES. What is his name?

Mr. OLIVER. Williams; and in sending a man of that ability and position, whose connection with the department was quite recent, and who could not be considered to be associated in any shape or manner with this transaction, we surely were doing everything that could be done to get any difficulties that might have arisen between

the Indians and the buyers settled on a fair basis; and, as a matter of fact, we have placed on the table of the House a report which states in detail what has become of every parcel of land that has been handed over—to whom it has been sold—the price paid for it, whether there have been any complaints or not with regard to the sale and everything about it; and any care that may be taken in looking over this list will demonstrate that the matter has been closed up satisfactorily to all concerned. However, it is not a matter that is free from difficulty. As an illustration, I will just mention a case of one of my hon. friend's particular friends, one of the Asham family—not the budding John Norquay, but possibly his brother or his son James Asham, No. 8 in the band. He had a general complaint about the surrender and the low price the Indians got for their land. Our report says that he sold 88 acres, that is, the whole of his right in severalty, to the Northwest Land Company for $449; but, believing that the price was too low, he sold 40 acres again to George Tracy for $160. He sold another 40 acres, or the same, I am not sure which, for a yoke of oxen. When I give the House this information, they will understand the difficulty that necessarily surrounds these transactions with the Indians, and the difficulty of getting them straightened up to the satisfaction of the Indians, and will know at what value to place the numerous affidavits, principally from the Asham family, which my hon. friend brought to the attention of the House.

Now, Mr. Speaker, I do not know that I have replied to every insinuation that my hon. friend made during his four or five hours speech; but I shall be glad to deal with any others that he or any other member may bring to my attention; because, as I said before, as I followed his address, he did not, in the whole four hours of its duration, make a single statement or insinuation with which I could agree or which to my mind was borne out by the documents on the table of the House.

If I may, I will try to give a short statement of the case from our point of view. In pursuance of our policy of administering Indian lands for the benefit of the Indians and for the development of the country, we entered upon the effort to secure the surrender of this reserve. It was in peculiar circumstances in the many ways which I have detailed to the House. It was not an ordinary reserve; the circumstances were extraordinary in many particulars, and, therefore, extraordinary measures had to be taken in connection with the surrender. But so that these measures should be beyond question, the highest authority that could be got in the province of Manitoba was engaged to do the work. The attempt was successful. The Indians have received their land in severalty; they have received a large sum of money as the result of the sale of land that was surrendered; they will have the marsh land to be sold as it comes into value; they have received a new reserve, very much better suited to the particular life of the Indians, of 75,000 acres in area; they have received assistance at the hands of the department to remove to that reserve and to establish themselves upon it. As a result, the Indians have benefited. Instead of their having lost anything by the transaction, they have gained very greatly; and the only criticism of the arrangement that can be made, from my point of view, is that they were too liberally dealt with, that they got more than the country could afford to give to another band. But, as I say, the circumstances were exceptional, and the public interest and the interest of the Indians were so benefited in securing the surrender that the circumstances and the conditions are, in my humble judgment, justified and more than justified.

Mr. HUGHES. Where are they located now?

Mr. OLIVER. The new reserve is on Fisher river, on the west side of Lake Winnipeg, about 100 miles north of Selkirk.

Mr. HUGHES. It is away north of the Icelandic settlement?

Mr. OLIVER. Yes, and is, I understand, a very suitable location. The Indians are not expected to go there at once; we have to remove them gradually; but a number are already settled there, and we hope soon to get the most of them removed. As a result of the action taken in this case, the value of the land on the reserve, on the evidence of my hon. friend, has appreciated tremendously, and the Red River valley and the locality of Selkirk has been put in line for improvement and development, and in a better social condition than it could possibly be in with this great reserve situated as it was, and under the conditions that surrounded it. Every step of the negotiations, and every step of the transaction, has been taken in such a way as to safeguard, as far as possible, the reputation of the department and the interests of the Indians. The details of the transaction have been laid on the table and have been before the House for months. Everything done, has been done absolutely in the light of day, with the full knowledge of everybody interested, or who chose to inquire. The department has absolutely nothing to conceal or apologize for. We ask hon. members to declare, not only that our policy in dealing with the Indian reserves generally but with this St. Peter's reserve in particular, has been, both in its inception and its conduct and its results in the best interests of the Indians and of the country.

Mr. W. S. MIDDLEBRO (North Grey). I do not intend to follow ad seriatim the statements made by the hon. the Minister of the Interior (Mr. Oliver), but I propose to deal with them as I proceed with my argument. Before going farther, however, I cannot let the occasion pass without saying that I find it impossible to understand the proposition that when an hon. member on this side makes charges of malfeasance in any department of the government, there is no duty whatever devolving upon the government to investigate that charge unless, in the opinion of the minister directly responsible, he believes there is some foundation for it. If that proposition be true, no government would grant a commission to investigate into any charge unless the minister were willing to admit that he believed the charge made was well founded. But my hon. friend himself (Mr. Oliver) contravened that principle for he has informed us that, in consequence of the statements made by the hon. member for Selkirk, he himself appointed a commission to investigate into some of the charges made. The very appointment of that commission, the sending of Mr. Swinborn and Mr. Williams there to make an investigation, is an admission that, in the minister's opinion, there is some truth in the allegations of my hon. friend. The doctrine I would lay down is that when a charge is made by an hon. member of this House, especially when that charge is backed up by some 25 or 26 statutory declarations, it is the duty of the minister, whose department is implicated, to make some kind of an investigation, because, if a prima facie case has been made out, the country is entitled to know whether or not there is anything in the charges made. As a general proposition—and if the hon. minister does not think it right, I would ask him to express his dissent—I say that the government are acting in all these matters affecting the Indians as their trustees and protectors. The poor Indian has been unwittingly and unwillingly placed in that position by reason of the march of white civilization. He is in that position against his will; and because we have placed him in that unfortunate position, and because we cannot expect of him those business characteristics which are foreign to his nature and training, we are obliged to protect him. And having assumed that guardianship, the government cannot contract itself out of the natural relations existing between the guardian and his ward. If the hon. minister dissents from that proposition, I would ask him to say so, because my argument is going to be based on it. If by any means you like, if by bringing a satchel before the Indians with $5,000 of money into it, and the temptation thereby created, or by any other means, you get them to consent to a transaction which is not in their interests, you are committing a breach of your duty as guardian towards your ward.

Approaching the subject from that standpoint, I start out with ascertaining what the land in question is worth. If it be worth only $5 per acre, the case against the government falls to the ground, so far as the financial interests of the Indians are concerned, but how do you judge the value of land? Will any one say that lands on this Indian reserve, situated within 25 miles of Winnipeg, on a branch line of the Canadian Pacific railway, because Selkirk is on a branch of that railway, with an electric railway from Winnipeg to Selkrk, do not occupy the first position in the province of Manitoba, so far as situation is concerned? Situation is the first consideration in determining the value of land; the second is the character of the soil itself. If you get good situation and good soil, as you do in this instance, you must admit that this St. Peter's reserve is the best land in the province of Manitoba. What evidence have I of that? I shall not ask the hon. minister to accept my statement, but I will take the records of the department itself. Those records were under the hands of the minister, and if he had given this case proper consideration, he could have, just as well as hon. members on this side, put himself in possession of that information; and if he had, he would not be here to-day ratifying and supporting a transaction which is a disgrace to the administration of his department.

Take the reports from his own agents on the very land in question. Here is the report of Inspector E. McColl, made in July, 1902:

> Rich in black alluvial soil of the Red River valley, and extending through a fringe of poplar, ash leaf maple and elm, back to the prairies and hay lands. St. Peter's reserve is an ideal place for mixed farming.

Let me take the next year, The report for 1903 of the Indian agent for the same reserve, who happens to be Mr. John Semmons, the same man who was given such an excellent character by the hon. minister a few minutes ago. He says:

> St. Peter's has an area of eighty square miles. All of these reserves are situated in areas of excellent land, suitable for farming and stock raising purposes, while at the same time they are adjacent to the water, and the natives may enjoy all the advantage of sailing and fishing. All conditions appear to contribute to the welfare and happiness of the people. . . . Some of the best soil in Manitoba is to be found in St. Peter's. All this is protected by a fringe of wood to the west and northward. There is no reason why ten thousand bushels of wheat should not be raised here.

I come to the next year, the report of Mr. Semmons again for 1904. He says:

St. Peter's reserve has some of the best land in the province of Manitoba. It has the advantage of being very near to an excellent market. It also has the best shelter from north and west winds offered to any locality. It is safe to say that properly cultivated it might produce one hundred thousand bushels of best wheat per year.

For 1905 there is no report, but for 1906, and this is the year the government issued a commission for the purpose of securing the surrender of the reserve, Mr. J. O. Lewis, Indian land agent, reports as follows:

St. Peter's reserve lies along the Red river, extending back 4 miles on each side, has a frontage of about 12 miles on the river. The inner two miles is divided into lots varying in width, &c. The land is a loam with a clay subsoil.

These evidences as to the value of the land were extracted from the records of the department and were just as available to the minister as to any member in this House. I now come to Chief Justice Howell, who was sent out there at the request of the department. What does he say as to the value of the land? He says:

The reserve is, in the main, excellent farm lands, and the adjoining lands are fairly well settled and cultivated, and the town of Selkirk joins it at the south side.

Then I take information furnished by the assessor of the municipality of St. Andrews, and this information is in the department also.

This department itself, in the very year it issued a commission to Chief Justice Howell, fixed the value of lands in this reservation by the sale of some lands by the department to the municipality of St. Andrews adjoining this reserve and I ask the government if there could be any more conclusive proof as to the value which they then set upon these lands than the fact that they charged and received $20 an acre in 1906 for these very lands. They sold $813 worth of land which figures out at $20 an acre. Then take land immediately adjoining the reservation owned by Mr. Funk. The evidence as given by the hon. member for Selkirk (Mr. Bradbury) is that that land is now selling for from $40 to $60 an acre. Then we have the evidence of the assessor of the municipality of St. Andrews, who says that at the very time these lands were being sold, part of these very lands were within the municipality of Selkirk, and as such were assessed, on the basis of one third of their value, at $7 an acre. He explains how they were assessed at $7 and how all lands of that class are assessed at one-third of their value, in accordance with a graded scheme adopted in that municipality making the value of the land $21. Then I take the letter from Mr. Hudson, a partner of the son of the Chief Justice of Manitoba, a man thoroughly familiar with values in that locality. His letter to the department shows that he values these lands at from $20 to $25. He says:

The land which has been bought at $5 an acre, is worth in the neighbourhood of from $20 to $25 an acre. The Indians are quite incompetent to look after their own interests, and none of them can afford the money necessary to carry on lawsuits to retrieve their possessions.

The next evidence is the case of Swan Lake Indian lands. I discussed this with some reserve, because I conceive that the arguments of the Minister of the Interior when quoting the value of other lands without knowing where they were situated were wholly irrelevant.

Mr. OLIVER. I gave the place, and the actual numbers of the land. I gave all particulars as to its situation.

Mr. MIDDLEBRO. He gave the positions by meridians, ranges and townships, but he had no conception of where the lands were.

Mr. OLIVER. I was merely sparring with my hon. friend from Winnipeg (Mr. A. Haggart). Both my hon. friend from Winnipeg and myself knew very well where the lands are by townships, ranges and sections, as my hon. friend afterwards admitted.

Mr. MIDDLEBRO. Perhaps the minister will say where the lands that sold at $5 an acre are situated?

Mr. OLIVER. East of the Red river, and approximately north of a line that would run eastward from the town of Selkirk. That is they are further north than Selkirk, and east of the Red river.

Mr. MIDDLEBRO. Has the minister ever seen the lands?

Mr. OLIVER. No.

Mr. MIDDLEBRO. Does he know the character of the soil?

Mr. OLIVER. No.

Mr. MIDDLEBRO. Then it is not competent for him to say whether the lands were worth more or less than $5?

Mr. OLIVER. Then as the hon. member has not seen the lands sold in the St. Peter's reserve he is in no better position

Mr. MIDDLEBRO. My point is that having taken from the records of the hon. gentleman's department that the lands are the best to be found in Manitoba, and knowing that the reserve is within 22 miles of Winnipeg, situated on an electric railroad and a branch of the Canadian Paci-

fic railway, I think I am justified in saying that they are the best in Manitoba.

Then the Swan Lake Indian reserve was sold in the summer of 1909 at from $15 to $20 an acre, and according to a statement of the hon. member for Macdonald, these lands which sold at from $15 to $20 an acre were not as valuable as those that sold for $5.50 by auction at Selkirk.

Then the next case is the Shoal Lake Indian reserve. The lands there were sold in the spring of 1909, and averaged $17.60 an acre. They are situated, I understand in the constituency of Marquette, and according to the evidence I have, they are not as valuable as the lands in question. These are the records from the hon. gentleman's own department, which it was his duty to observe before he allowed this great reserve to be sacrificed as we believe it was. Then these Beausejour school lands sold in 1909 to speculators, and they cannot be any better than the St. Peter's lands, because the latter they are the best in Manitoba. They sold at $22 an acre to some of the very gentlemen who bought the St. Peter's lands. They are 35 miles from Winnipeg without electric communication.

Again I find on looking up the assessment of that portion of the St. Peter's reserve situated in Selkirk, that they were assessed at the time this sale was made at $24 an acre. This year, at a mortgage sale, for a portion of these lands, $22 an acre was refused. Having all this evidence before him, taken almost entirely from his own records—and the evidence of the assessor and the clerk was as available to him as to us—if those lands sold for anything less than $20 an acre, that very fact is conclusive proof that there was something wrong, and if the minister did not see any of these records in his department it was his duty to do as an ordinary trustee would do and should do, to seek out some person or persons to make competent examinations and not depend on one man or officer. He should have obtained independent, competent men from that country who knew the value of lands. That much is due to the country and not having done that the minister is open to the charge that the lands were sold for one-third to one-fourth of their value.

What was the necessity for the sale of this reserve? As my hon. friend from Selkirk says, there was no petition from the town of Selkirk, from the board of trade of Selkirk, from any public body, from any provincial authority or any private individual as far as the evidence before us shows, except the late Liberal member for that riding, and it would be very interesting to know, if there was a written communication from that gentleman requesting the sale of that reserve, what reasons he urged in it for the sale. It would be interesting to know what it was.

Mr. OLIVER. It was understood that the advantage was mutual.

Mr. MIDDLEBRO. Well, we will see. The hon. minister now admits that it was upon the recommendation of his commissioner whom he sent there, not, he says, for the purpose of obtaining a surrender, but for another purpose, of giving titles to land to certain white persons who were claiming titles to certain lands within the reserve. But the minister now admits that it was in consequence of a recommendation made by his commissioner that a surrender was secured. That being the case it was due to the Indians, it was due to the public, it was due to this House that the commissioner should have taken evidence showing conclusively that it was in the interest of the Indians, and that it was in the interest of the white population that the surrender should be made. But there is not one tittle of evidence in all the documents produced which goes to show that it would be advisable, either in the interest of the Indians or the interest of the public, that the reserve should be surrendered. The minister will say that it all depends upon the recommendation, he is taking entirely the word of the commissioner without having heard the facts, and I say that is not a fair position to take.

Now let us inquire into the moral and social condition of the Indians upon the reserve, and I suppose it is somewhat upon that basis that the minister proceeded to secure the release of this reserve. I will come back to the reports again. In the report of 1902 I find that Inspector McColl says this:

> Throughout this agency the Indians are steadily progressing, their mode of living is improving and they are becoming less dependent on others for their livilihood—* * * *
>
> The better class of Indians in this reserve will have nothing to do with intoxicants but there are always a few who are willing to get liquor whenever it is available, and it is these together with the unscrupulous dealers who sell it to them that cause all the trouble.

In the report of 1903, Mr. John Semmons, Indian inspector, the same gentleman upon whom the minister placed so much confidence said:

> All conditions appear to contribute to the welfare and happiness of the Indians.

Then I take the report of Mr. J. O. Lewis, Indian agent at Selkirk, the agent who was there in 1906, the very year the commission was appointed to make this recommendation, and this recommendation is made only three months prior to the issuing of the commission. Mr. Lewis says:

There are many old people on this reserve, two women who have overtaken the century mark, a large number of both men and women have passed the allotted span of life of three score and ten. They require attention from the medical officer and agent. Of a population of 1,300 there are not many drunkards and the band may be said to be temperate—

Now if it is upon the ground of intemperance that the minister says this band should be removed, here is a report of his own agent who says that the band is not intemperate. I venture to say that he cannot find 1,300 white people among whom he would not find one or two who were intemperate. So I say, accepting the report of the department's own agent three months before he made the recommendation for the appointment of a commission to consider surrender, the minister must have learned that the band were temperate and were very steadily progressing. Therefore it cannot be upon these reports that the recommendation was made. He says further:

At a confirmation service in the Anglican church a year ago over 60 young men and women were confirmed, and over 300 people present.

Now what did the Indians themselves think? There is not a bit of evidence, I do not think it will be contended, that the Indians themselves desired the surrender. The commissioner himself says:

From time to time I approached the Indians for the purpose of inducing them to surrender the reserve and take a new one, and our negotiations continued for many months.

I gather from that the Indians were not willing to surrender, and only after negotiations continued for several months were they finally induced to surrender, by means which my hon. friend from Selkirk has disclosed to this House.

Mr. HUGHES. What reason does the commissioner give?

Mr. MIDDLEBRO. No reason whatever for wishing the surrender, except that he says in his report that by reason of these white settlers having land within the reserve 'there can be liquor sold.' Those are his words, he does not say liquor was sold. That is the only indication he gives for selling the reserve, that there might be trouble, because of these white settlers having land within the reserve. Now at first the Indians were opposed to the surrender, and apparently the chief and council as well. Then there comes a time when, for some unknown reason, the chief and councillors appear to have been won over, and a notice is posted up to ascertain whether these poor Indians, some of whom have lived on that reserve for over a hundred years, shall divest themselves of their inheritance, their houses and their homes, and it is contended by the department that one day's notice is sufficient for that purpose. I do not care whether that is a legal notice or not. I come back to this fact, the government is trustee for the Indians, and it is for the government to say whether one day's notice is sufficient to notify a whole band to decide whether they wish to dispose of their inheritance. I say it was not a sufficient notice, and it is not enough for the minister to say that there were a certain number of Indians present at that meeting, and therefore they had not sufficient notice. The notice is given, not only for the purpose of calling the Indians together, but to give them time to consider what they shall do, and they had only one day from Sunday to the following day to consider what to do. Now I understand that the minister claims that there was a sufficient number of Indians present at that meeting to constitute a valid surrender of the reserve. I would ask him to look at section 49 of the Indian Act, and let him see whether there has been a compliance with that Act. If the contention of the minister is correct, if there were three members of the whole band of 1,300 present, and if two out of three voted for a surrender, then, according to the contention of the minister, that would constitute an absolutely binding surrender of the Indian reserve, containing some 48,000 acres, and valued at three-quarters of a million dollars. Now I say it was never intended by parliament that the majority of those present at a meeting should have the right to decide as to the disposal of the inheritance of the whole band. Let us read the words of section 49 of the Act:

Except in this part otherwise provided no release or surrender of a reserve or a portion of a reserve held for the use of the Indians of any band or of any individual Indian, shall be binding unless the release or surrender shall be assented to by a majority of the male members of the band of the full age of 21 years—

Now there would be no doubt about the question if the section stopped there, but it goes on to say:

—at a meeting or council thereof summoned for that purpose.

Now that seems to me as clear as day, that you must have not only a majority of the male members of the band entitled to vote, but you must get that majority—where?—at a meeting; not by private subscription, not by petition, and you have to get a majority of the other members of the band at the meeting, so that the Indian will get the opinions of the other members of the band who are present which will better enable him to decide whether he shall con-

sent to the surrender. If this provision were not in the Act I would point out to the minister that consent would be obtained by somebody going around with a petition, and getting the poor Indian to sign, and anybody knows that not only the Indian, but the white man will sign a petition for almost anything. As a precaution, not as a limitation of the number required you must get the consent of the majority entitled to vote, at a meeting called for that purpose. I think there is no doubt about that, and if that is good law the surrender of this reserve is illegal. In support of the truth and equity of that proposition we all know that if any municipality in the country is going to do something that affects the ordinary current revenue, or the ordinary current business, of the municipality, the majority of those present, or voting is generally all that it is necessary, but when you come to interfere with the capital of the municipality, when you come to grant a bonus which is not taken out of the revenue, you must have a certain, specified proportion of those entitled to vote in order to authorize the municipality to grant that bonus. It is not sufficient for a majority of the ratepayers to say that they shall grant that bonus, but the legislature says that if you want to do anything which will interfere with the capital, or principal of the municipality you must not only have a majority of those voting, but a majority of those entitled to vote. That is the principle, and I am surprised that the Minister of the Interior acted upon any other assumption. What were the proceedings of this meeting? As we have had no contradictory affidavits upon the other side disputing the 23 affidavits which were produced by my hon. friend from Selkirk we have the right to assume that these affidavits were true and correct. They create a strong prima facie case against the administration. If we may believe these affidavits, and if we accept what my hon. friend from Selkirk knows personally upon this matter, we find that the meeting was called on Monday by a notice posted on the previous Sunday, namely one day's notice. We find the members of the band were asked to come and decide an important question of this kind, and no sufficient accommodation provided for this meeting. We find that only one-third of the band could get into the building, and that the other two-thirds had to remain outside, and that seems to be proved conclusively by the fact that when the vote came to be taken they had to go outside in order to count them. They put one lot on one side, and the other on the other side, because there was not room enough for them in the school house. The affidavits show that many Indians did not understand what was going on. How could you expect them to understand when two-thirds of the Indians were standing outside, some looking through the windows, and others behind them endeavouring to get an account of what was going on from those in front? These Indians could not understand what was going on, and it was proved by my hon. friend from Selkirk that it was a physical impossibility for these men to get in at all, or to understand what was going on. Why was the chief offered more than the other members of the band? They are not hereditary chiefs; they are not entitled to be there because of a hereditary title. They are simply elected by the members of their own band for a period of three years. They are in the same position as the reeve and councillors of a municipality, and I propose to give an illustration to the Minister of the Interior, and to ask him if he would say that it is right in this case in which we are not dealing with Indians or children. Suppose a township, or a municipality owned a park, or something of that kind, and some person came along and said: We want you to sell this park; we will give you $10,000 for it. There are a thousand ratepayers in the municipality, and the reeve, and councillors are elected by the ratepayers. The promoters, who are endeavouring to secure this park say: Now, we will give to the reeve sixteen times as much as to any other ratepayer, and we will give to a councillor ten times as much if you will consent to use your influence with the ratepayers of the municipality to carry a by-law for the purpose of giving effect to this transaction. Would the Minister of the Interior say that that would be a justifiable proposition? Would he say that the reeve and councillors had any more right to receive any greater remuneration than an individual ratepayer of the municipality? I think he would not. Then by what right does he say that the chief and councillors, of these poor ignorant Indians should receive from ten to sixteen times as much as any of the other members of the band? There could have been no other purpose than that of inducing them to do that which the government wanted them to do. You may call it bribery, or whatever else you like. It was an inducement. Then, what took place? Not satisfied with giving these councillors that bribe the Department of the Interior advisedly, takes $5,000 out of some fund here—I do not know whether it came from the Indian fund or not—puts it into a satchel, and sends it to Selkirk. What for? For the purpose of getting the Indian to do something, which, unless they had the $5,000 and shook it in his face, they knew they could not get him to do. Are the government justified in that? Oh, the spectacle of a trustee holding up $5,000 in the

face of his ward, who has become his ward because of his business incapacity, who is afflicted with business incapacity because of his environment—the spectacle of a trustee coming along and saying to his ward, who is supposed not to be able to contract in any way: I have here $5,000 in this bag, and if you consent to this surrender I am going to start right now to dig out this $5,000 and divide it among you. The poor Indian never dreamed it was simply a part of his own money which was to be ultimately deducted from the sale of his own lands. Why did they do it? Because they knew that unless they presented the greenbacks to the poor Indian he would never consent to the surrender. There is no getting away from that. Is the government justified in a proceeding of that kind for the purpose of getting the surrender of a reserve which could not otherwise have been obtained. I think not. If these affidavits are correct, even with the $5,000 in sight, they had to resort to some other juggling, namely, one of their officers said to the Indians at the meeting: Now, if you want $90 go over there; if you do not want $90 go over there; and the reserve will not be surrendered, and you will not get one cent. These are the words which were used at that time, and they have never been contradicted. Why have we not heard from Mr. Semmons? The minister knew that this matter was coming up. He has been notified for five weeks. The matter was brought up last November, he is thoroughly acquainted with all the facts; why has he not an affidavit from some official denying that Mr. Semmons said this, or that the Deputy Superintendent did offer this $5,000 as a bribe to the Indians.

Mr. OLIVER. Is the hon. gentleman asking a question?

Mr. MIDDLEBRO. I am.

Mr. OLIVER. The reason I did not make preparation was that I did not know when it was coming up; and the reason I did not have any affidavits from Mr. Semmons on this subject was because the allegation in regard to Mr. Semmons was not made until last night.

Mr. MIDDLEBRO. This matter has been on the tapis for three or four months, and the minister was informed three or four weeks ago that at the first opportunity on going into supply the hon. gentleman (Mr. Bradbury) would move a resolution.

Mr. OLIVER. The hon. gentleman (Mr. Bradbury) did not move on the first opportunity on going into supply.

Mr. MIDDLEBRO. The government claim they got a surrender of this reserve for the purpose of getting rid of the Indians in that locality. If, as the minister said, he expected these lands would be more valuable after he got rid of the Indians and by reason of that expectation the lands advanced in value subsequently, how does he make that square with the fact that he gave 400 patents of land in fee simple to these Indians to stay right there on the reserve. Did he not expect that they were going to stay there? If he did not why did he give them the patents. If he was honest and bona fide in his belief that it was for the benefit of the Indians to surrender in order that they might become owners in fee simple of the land and having given 400 patents for that purpose, does it not show that he intended the Indians to stay there. If he did not so intend, then he deceived the Indians, and this would be another allurement held out to the poor Indian for the purpose of getting him to consent to surrender. I say that the government had no more right to give these Indians a title to the land in fee simple, without adopting protective measures to safeguard them against speculators, than they had to put the cash into the hands of the Indians without control. I say the government cannot rid itself by any contractual obligation at any stage of their duties as trustee, to continue to look after the welfare of the Indians, and if the government expected the Indians were going to sell these lands they had no more right to issue them the patents than they had to give them the actual money. The government either gave these lands knowing they were going to be disposed of by the Indians—in which case they left the Indian at the mercy of the speculators—or they gave the 400 patents intending that the Indians should stay on the land, and in that case the argument of the minister that the land had increased in value because he got rid of the Indians, falls to the ground.

Mr. OLIVER. The hon. gentleman appears to be addressing his remarks to me and as it were he challenges my assent to them. I do not wish to interrupt him, but I do not wish to have it understood that because I do not interrupt, I assent. I may say that I do not at all assent to the proposition he has laid down.

Mr. MIDDLEBRO. The hon. gentleman being head of the Indian Department, I must naturally address myself to him. Whatever was the intention of the government there is no doubt that the result is that these lands have passed into the hands of speculators at prices varying from $3 to $5 an acre. The minister said that some of these lands sold for more than $5 an acre and that may be because one Indian would naturally be more experienced and better able to take care of himself than another, but if the minister averages the sales he will find they were about $5 an acre. Is that not correct?

Mr. OLIVER. That is correct.

Mr. MIDDLEBRO. Therefore, I am right in saying that these lands patented to the Indians were also sold by them at about $5 an acre. Then, if I have proved that these lands were worth $20 an acre, it follows conclusively that $15 an acre has been lost by the sale of this Indian reserve containing 48,000 acres. Was that in the public interest? Was it in the interest of the public or in the interest of the Indians that land worth $20 an acre should be frittered away for $5 an acre; not for the purpose of augmenting the Indian fund, but for the purpose of placing money in the hands of speculators who happened to be friends of the administration—perhaps I should not say friends of the administration—but who happened to be of the same political persuasion as the ministry.

Mr. TURRIFF. The hon. gentleman seems to be very much astray as to the value of land in that part of the country. I do not say that there may not be a certain small piece of land that may be worth $20 an acre, but I want to say that within the last two months I have been told by two parties from Manitoba that they had bought in that vicinity of the country, that is northeast of Winnipeg, at $6.25 an acre, and these were selected lands.

Mr. HUGHES. What part of the country?

Mr. TURRIFF. Northeast of Winnipeg.

Mr. HUGHES. Yes, 150 miles from civilization.

Mr. MIDDLEBRO. Let me put this question to the hon. gentleman (Mr. Turriff). These lands were sold at $5 an acre, and would he consider the fact that in 1906 the assessor of the municipality valued the lands at $20 an acre; would he consider the fact that part of these very lands in the municipality of Selkirk itself at the very time this sale was made was assessed at $22 an acre; would he consider the fact that lands put up for sale at public auction, part of these very lands we are discussing, were withdrawn on a bid of $22 an acre; would he consider all these facts any evidence at all that the land was worth more than $5 an acre? In fairness would not the hon. gentleman take that as pretty conclusive proof that the land was worth more than $5 an acre?

Mr. TURRIFF. My experience has always been that land sold by auction brings all it is worth.

Mr. MIDDLEBRO. That is not an answer to my question. Now, as to the duty of the government to protect the Indian with respect to the patented lands. We all know that the Indian Act provides that even in the case of chattels the government shall protect the Indians. Section 57 of the Indian Act says:

No agent for the sale of Indian lands shall, within his division, directly or indirectly, except under an order of the Governor in Council, purchase any land which he is appointed to sell, or become proprietor of, or interested in any such land, during the time of his agency; and every such purchase, or interest shall be void.

I do not say that that section technically applies to the case in question because these Indian lands were patented to the individual. Still, the principle is the same and there is the fiduciary character of the department and of the Indian agent as representing the department, and if I can prove that the Indian agent himself who had the confidence of these Indians because of the fiduciary relation in which he stood to them; if I can prove that he availed himself of his fiduciary character for the purpose of obtaining lands from these very Indians, I think the minister will agree with me that I have given sufficient proof to justify him in making an inquiry into the acts of that man. Section 42, for the purpose of carrying out this idea, provided:

No official, or employee connected with the inside, or outside service of the Department of Indian Affairs, and no missionary in the employ of any religious denomination, or otherwise employed in mission work among the Indians, and no school teacher, on an Indian reserve, shall, without the special license in writing of the Superintendent General, trade with any Indian, or sell to him directly or indirectly, any goods or supplies, cattle or other animals.

That is an entire prohibition of anybody dealing with the Indian except through the intervention of the Indian agent. That places the Indian agent in a very confidential fiduciary relation to the Indian, which is a further reason why there should not be any dealing between the agent and the Indian. Carrying out that very idea, the department has issued regulations which say:

No band, or irregular band of Indians, and no Indians of any band or irregular band of Indians in the provinces of Manitoba, Saskatchewan, or Alberta, or in the Northwest Territories, may, without the consent of the Indian agent for the locality, sell, barter, exchange or give to any person, or persons whatsoever, any grain, or root crops, or any produce grown on any Indian reserve in the said provinces, or territories, or on any part of such reserve, and that any such sale, barter, exchange or gift shall be absolutely null and void unless the same be made with such consent.

If the department saw fit to make such a regulation for the protection of the Indian in the sale of root crops and other personal property, how much more was it their duty, when they placed in the hands

of the Indian the absolute sale of these lands, to guard him with restrictions so that he would not be taken advantage of by speculators? Let us see what Mr. Lewis, the Indian agent, himself says as to the capacity of these Indians. In his letter of the 5th of July, 1909, to the department he says:

As agent I have refrained from any interference in the bargaining, but as some of the Indians are old and illiterate, and called upon me to assist in the accounts afterwards, I have rendered what assistance I was able. While a large percentage of the St. Peter's Indians resent interference in their business, there is, I believe, a majority of them too illiterate and helpless to manage a real estate sale, especially where the payment of the land extended, as in most cases it did, over a period of one year, and was made by orders on stores, and with truck and small cash payments. The Indians sold only in small parcels, and at different prices, and not always to the same buyer. The Indian gave a statutory deed as soon as he sold, setting forth the price, and description of the land. He received a small payment down with the promise of the balance as soon as he was able to deliver the patent. The selling began as soon as the locating started. Thus a year elapsed between some of the sales, and the receiving of the patent. There was nothing expressed in the deeds as to future payments. In fact, as far as anything was set forth in the deed, the Indian was paid in full. He was dependent entirely upon the honour of the buyer for the fulfilment of the verbal contract. You can readily understand that the accounts extending over so long a period have become long and complicated.

Now, I propose to prove a sale to the Indian agent himself by a widow who was illiterate, and another from a man who was 90 years of age. The Minister of Interior said in his speech of the 29th of November, that if we could prove that the Indian agent had been trafficking in these lands, he would soon see whether or not the agent would be dismissed from the service. I have before me a certified copy of a deed, dated the 8th day of April, 1908, eight months before the patent was issued. It is from Flora Bella Wesley, widow, and is to the agent himself, James Oscar Lewis. The consideration purports to be $235, and the land 23·57 acres, so that the price was $10 an acre. The woman swears that she did not get $10 an acre, and that she thinks she did not get more than $5 an acre, and she got that part in cash and part in goods. I find that Inspector Swinford made an inspection of this matter, and wrote to the department on the 22nd of November last, as follows:

It must be remembered that all the land buyers used the chief and councillors of the band as interpreters and as agents to bring Indians to them to induce them, if possible, to sell their lands, and in return these interpreters or agents were rewarded with $5 or more for each transaction in which a transfer of land took place.

The price usually paid them for allotments was about $5 an acre.

The white man predominates in the interpretor and witness, W. D. Harper, and it is quite possible that he may be induced to remember evidence in favour of the buyer.

The inspector himself intimates that the witnesses and the interpreters take advantage of the Indians because they are employed by speculators, and get $5 for every piece of land they sell. In this case I find that the grantor is illiterate, as she makes her mark. The witness to the deed is W. D. Harper, one of the councillors who got 120 acres of land, ten times as much as any of the other Indians, for consenting to the surrender, and one of the men, the inspector says, who got $5 for every sale they made. The agent took advantage of his position as agent to obtain from this widow a deed of land for a consideration which he knew was away under its value. The other case is that of a man 90 years of age, also illiterate, who made his mark instead of signing his name. His land was also sold to the agent. For 32 acres he was to get $10 an acre, or $320 in all. This was to be paid at the rate of $6 a month. He said that when he was paid for 20 months, or in all $120, the payments stopped. His statement is corroborated by Mr. Swinford. In both of these cases the Indian agent was trafficking in land with persons who were illiterate, both of whom say they did not get the consideration that they expected and that was agreed to; and this is proved by the certified copy of the deed obtained from the Land Titles Office. I leave these cases with the minister, to decide whether some inquiry should not be made into them.

With regard to another point, section 89 of the Indian Act says:

With the exception of such sum not exceeding fifty per centum of the proceeds of any lands, and not exceeding ten per centum of the proceeds of any timber or other property, as is agreed at the time of the surrender to be paid to the members of the band interested therein, the Governor in Council may, subject to the provisions of this parliament, direct how and in what manner, and by whom, the moneys arising from the disposal of Indian lands, or of property held or to be held in trust for Indians, or timber on Indian lands or reserves, or from any other source for the benefit of the Indians, shall be invested from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given.

In other words, the section says that in any disposition of an Indian reserve you cannot give the Indian more than one half of the proceeds. I grant you that the minister can point to the use of the word 'land'.

With the exception of such sum not exceeding 50 per cent of the proceeds of that land.

I take the proceeds of the 'land' to mean the proceeds of the 'reserve.' In other words the government is not entitled to hand over to the Indians, for his own absolute use and disposal, even if the government thought it advisable, more than one half of the proceeds of the reserve. But what did the government do here? It handed over 23,000 acres of land, and there you have remaining 25,000 acres to be disposed of. Some of that had been sold by public auction and some of that will no doubt be sold in the same way later on. But they agreed in the surrender that of the balance over and above what they are entitled to by patent the Indians are to get one half of the proceeds. Therefore, the Indian has got 23,000 acres in fee simple and is entitled to get half the proceeds of the remaining 25,000 acres. Therefore, according to the hon. minister, he gets 23,000 patented plus proceeds of 12,500 acres or 37,500 acres in all, out of a total of 48,000, in contravention of the section which says that the Indian is not entitled, even if the government think it advisable, to more than one half the proceeds of the sale of the reserve. I think that is a good argument against the legality of the sale.

Now we come to the sale by public auction of a further portion of this reserve amounting to 15,000 acres. In view of the indisputable evidence as to the value of the land which I have just given, the mere fact that these lands were sold at anything less than $20 an acre should be conclusive evidence that they were sold under value. Would it not have been better to have offered these lands for sale when they were not covered by snow? Why was it not advisable to extend the period of payment to ten years annual instalments just as the hon. minister has done with respect to school lands? The hon. minister has replied that one reason why he would not give ten years for payment of these lands was that he wanted to close the transaction and get rid of the Indians from that locality.

Mr. OLIVER. That was one feature of the case.

Mr. MIDDLEBRO. I understood him to say that was the reason he did not give ten years instead of four. If he had only given one year for the payment of those lands, he would still have about 400 patents to the same Indians right in that locality itself. If he intended the Indians to stay there, as we must assume he did, that argument falls to the ground because we still have the Indians on the reserve.

Another reason, he tells us, why he put it up for sale in the winter was because there was more money in circulation in December than at any other time. But he only required one fourth of the cash down, so that a man might buy considerable land without putting up much money. But against that you have the facts that these lands being put up in the dead of winter, no man who did not know their value would bid on them. It was the men who knew their value, who had been for months hawking with the Indians and had been over the land time and time again—these were the men who bought the land. One thing more. When the precedent was set by these speculators, when the Indians were selling their land at $4 or $5 an acre, an outside man would say probably these lands are not worth more than the Indian got when he could not see the soil, but the speculators who bought them knew that they were.

Let me point out this fact, that the land given by the Indians and secured by the speculators were the choicest lands of the reserve—lands upon which the Indians had been living and had erected their houses and barns. They were the choicest lands, and it was not to be expected that the remaining lands would sell for as much.

I want to show one fact more, and that is that, in addition to giving the Indians patents for their lands, they gave them 3,000 acres more intended for pasturage. So that the argument used by the minister that the disposition of the reserve for the purpose of getting rid of the Indians, and the contamination arising from the influence of the Indians on the white man or the reverse is entirely wrong, or if you did give the Indians land for the purpose of getting them out of that locality you gave them no protection whatever against the avarice of the waiting speculator.

In the disposition of these lands, the government looked around for an auctioneer. Whom did they get? They went right to the legislature of Manitoba and got a man named Norris, a Liberal member of the Manitoba legislature, and to-day the opposition leader in the legislature. Is it any wonder that the friends of the government clustered around this auctioneer, and that the lands sold at $5.58 per acre. Why also did the minister advertise but six times in the newspapers and stop his advertisements on the 20th of November, when the sale did not take place until the 16th of December? I have always understood that in advertising a sale by public auction, you should keep the advertisement going right up to the day of sale. There must have been some reason why the department ceased that custom, and I would like some hon. gentleman opposite to explain why there was an interval of about twenty days between the time the last advertisement appeared and the date of sale.

These are all suspicious circumstances which justify hon. gentlemen on this side

in coming to the conclusion they do. In the face of the evidence as to the value of the land, we must conclude that the auction sale was not for the purpose of getting a fair and proper price, but for the purpose of giving the advantage to speculators—not farmers, not men who developed the land, but simple middlemen intending to sell out at a profit later on.

What has been the result? If I assume that the land, as a whole, was worth $20 an acre—which I think I am perfectly justified in doing—there are 48,000 acres which should have been worth over $900,000. There have been patented to the Indians, I am told 23,000 acres. I thought it was 21,000, and I made my calculations on those figures, because all the lands may not have been disposed of by the Indians though I understand nine-tenths of them have. Take the patents to the Indians, 21,000 acres, which we assume they have disposed of, at $5 an acre, making $105,000. The government sold 15,000 acres for $86,000 making a total of $191,000 for 36,000 acres. But 36,000 acres at $20 an acre should have realized $720,000. It has realized only $191,000. There has therefore been a loss to the Indian Department, and to the government of $529,000. Not only has there been that loss of $529,000, but I venture the assertion that practically all the money the Indian got has also been wasted. What is the result? The Minister of the Interior said that it was the policy of his department, whenever it was thought advisable in the interest of the Indian, to convert Indian reserves into money and to place the money to the credit of the Indian fund, and that he has taken that course in the present case. Let us see what justification he has? The Indian has practically dissipated his whole $105,000. My hon. friend from Selkirk says he did not get half of it. Giving it the most favourable construction, and assuming he got all of it, it is quite likely that the Indian has dissipated his $105,000. What has the government got? The proceeds of the auction sale were $85,000. The government had spent up to a short time ago $32,000 in law costs, expenses of the commission, and moving one-quarter of the Indians to the new reserve. Take this off the net proceeds and it leaves $58,000. If it cost $28,000 to remove one-quarter of the Indians it will cost at least $28,000 to remove the remaining three-quarters. I take that off and it leaves $25,000. The surrender provides that of that $25,000 the Indian is to get another 50 per cent cash, and that leaves $12,336 as a balance to the credit of the Indian fund. The Minister of the Interior says he is justified, and has been justified and that he confirms everything done by this department, and his agents, and every one connected with his department in disposing of a reserve of 38,000 acres of the best land in Manitoba, worth $760,000, in order to place to the credit of the Indian fund $12,500.

In conclusion, there was a time when the poor Indian was the undoubted and undisputed owner of the soil in this country. Owing to the march of white progress and civilization, he is being gradually pushed back, step by step, year by year, and deprived of his former undoubted inheritance. There is no doubt that in every move he has made, the Indian has been shoved westward and northward, and most of us know that it will be only a matter of time until the Indian race shall have become practically extinct, and we will find Indians travelling around in circuses being exhibited like buffalo. It has not been the Indian's fault. We are the stronger race, we place him in those circumstances, and by the environment in which he has been placed, we have deprived him of his capacity to look after his own interests, and it is the undoubted duty of the government, by reason of these circumstances, to place around him all possible safeguards and protection with respect to his lands, chattels and effects; that is due to the Indian himself, not only safeguards for his own protection but safeguards against the cupidity of speculators and others. That being the case, I say the government has not fulfilled its bounden duty to these people. In face of the evidence and declarations which have been given here to-day, the minister would have been far better advised had he taken the course, not of ratifying and confirming all that has been done by himself and his agents, but of at once granting an investigation. If he had done that, he would have stood better before the people of this country; but since he has refused an investigation, we can do nothing else than say that we do hereby condemn the action of the government in respect to the manner in which they secured the surrender of and disposition and sale of the St. Peter's Indian reserve.

Mr. J. P. MOLLOY (Provencher). Mr. Speaker, I do not propose to take up the time of the House at any length as the ground has been well covered. I understand the hon. member has made the statement that Mr. C. T. Norris conducted the auction sale. As a matter of fact, it was conducted by Mr. C. R. Mollard, of Stonewall.

I happen to know something about the St. Peter's reserve, as I have been in that locality, and also because it is in close proximity to the town of Selkirk. I believe that every man in this House will admit that it was good policy on the part of the government to endeavour by fair means, which I believe were employed, to bring about the surrender for the simple reason that it was an injury to the Indians to live in that neighbourhood, and the

same thing applies to all Indians in the northwest who live close to towns.

Mr. MIDDLEBRO. I find I have inadvertently made a misstatement. It was a man named Walters who conducted the sale. He was Liberal organizer at that time, and is now a member of the legislature of Manitoba.

Mr. MOLLOY. My information is it was Mr. C. R. Mollard, of Stonewall. I am going to ask that the Indians in Provencher on the Rosser reserve near Dominion City, nine miles from the international boundary, be transferred to another reserve, that their land be thrown open for settlement, and that the settlers in that locality, who are progressive and are prepared to buy the land, should have an opportunity of doing so. The people are asking to have this done on the ground that intoxicating liquors are used on the reserve, which one can easily understand, as it is situated between Latelier and Dominion City. The same thing applies to the Indians who remain on the reserve at St. Peter's. Every dollar they earned was spent in liquor in one way or another in the town of Selkirk. Objection was also taken by settlers in that district. I have heard complaints from Selkirk and the request that the surrender should be made. People in Selkirk asked that the Indians be removed and a surrender be made, and I understand the Indians asked that some arrangement should be made whereby they could leave the district and make a settlement which would be entirely satisfactory. I believe that has been done to the satisfaction, not only of the settlers among them, but of the people of Selkirk and of the Indians themselves. The hon. member has asked who in the town of Selkirk was anxious that a surrender should be made. The mayor of the town, Mr. Simpson, the ex-mayor, Mr. Mackenzie, who I believe is now dead; members of the council, members of the board of trade, and among them no less a citizen than Dr. O. F. Grain, M.P.P.

Mr. BRADBURY. The hon. gentleman seems to be in possession of more facts than the minister. The minister could give us no such information as the hon. gentleman is giving here to-day. The hon. Mr. Mackenzie, of whom the hon. gentleman speaks, died two years ago.

Mr. MOLLOY. I mentioned that fact and that he was anxious for this surrender came to my personal knowledge. I say that Dr. Grain, the member for the local constituency of Selkirk, favoured the surrender. I say also that Dr. Grain, who was one of the first citizens in the province of Manitoba, and one of the first gentlemen in the province of Manitoba, sanctioned this surrender in every way, so far as I know. He had the confidence of the people, and he should have the confidence of the hon. member for Selkirk; for I will make this blunt statement, that had it not been for the influence of Dr. Grain, he would not occupy a seat in this House to-day, that is to say, that his influence more than that of any other man in the county of Selkirk helped to elect him.

Mr. BRADBURY. I want to correct the hon. gentleman, he is labouring under a very serious delusion in making that statement.

Mr. MOLLOY. Well, I make that statement believing it to be true. Will the hon. gentleman deny that Dr. Grain is one of the most influential men in the county of Selkirk? Will he deny that he is not as good a Conservative as himself? Will he deny that he has not the respect of every man, woman and child in the county of Selkirk? Is there a more popular man in the county of Selkirk? There is not a more popular man than Dr. Grain, or a more honourable man, in the whole county of Selkirk. Now, Dr. Grain was anxious that this should be done. Dr. Grain was one of a syndicate that purchased land from John Bruce, the land known as the Point and sugar island, near the town of Selkirk, a lot of 136 acres. He has just as much right to invest his money in Indian lands as any other man, and I understand that the hon. member for Selkirk himself endeavoured to buy land in that reserve.

Mr. BRADBURY. I do not like to interrupt the hon. gentleman, but I want to give the most emphatic denial to that statement. I have never, directly or indirectly, offered to buy one acre of that land. I have had the opportunity offered to me to secure this land, but I never invested one cent in it, nor in any way made it known that I was interested in any way in these lands.

Mr. MOLLOY. Well, my information is that the hon. gentleman tried to buy some of that land, and I hold he had a perfect right to do so. I understand that he tried to buy a lot from J. R. Sanderson, a treaty Indian through a hardware merchant in the town of Selkirk.

Mr. BRADBURY. Mr. Speaker, I ask for your ruling.

Mr. SPEAKER. The hon. member will have to accept the statement of the hon. member for Selkirk.

Mr. MOLLOY. I simply mentioned the fact. I have such information. I am willing to withdraw the statement if the hon. gentleman says he did not. My information was that before this surrender was actually made he tried to purchase a piece of land. Now, with regard to the price of land, I am in a position to say something

about that too. He has given us to understand that the maximum price was about $5. My information is that the land was sold for from $8, $15 to $21, and I think as high as $25. That lot 107 brought $20 an acre. I am interested in 26½ acres of land in the town of Selkirk, which was purchased about ten years ago for $150, which is a trifle over $5 an acre, and it remains on our hands at the present time. For the information of the hon. gentleman for Selkirk, I can tell him that the land was purchased from Mr. Jas. Colcleugh, who was a druggist in that town, an old resident of the province of Manitoba, and that land is there yet. There were twenty-six and a half acres practically in the centre of the town of Selkirk that was purchased for $150.

Mr. BRADBURY. You would not like to take that for it now.

Mr. MOLLOY. I would expect to make a little out of it after ten years. Now, as regards the quality of this land, I went to the trouble to get a report on the land as to its exact character, and I have this information which I believe to be correct. I will read to the House the statement I have received:

Going down the Red river from Winnipeg one cannot but be struck with the appearance of the country. The banks are high and literally lined with small houses, surrounded by gardens, and the trees in the distance give the country a beautiful appearance. It looks to be most desirable land. The same character of country continues from Winnipeg to about 8 miles between Selkirk and the reserve. But disenchantment begins as soon as one goes one-quarter to one-half a mile back from the river. The land along the river banks is high but recedes from the river. One mile from the river the land is low, swampy, covered with black poplar and willow, or is open marsh. These lands have never been in use only as hay lands. In the parish of St. Peter's these features are more pronounced. The reserve runs practically through two townships, viz., 14 and 15 in ranges 4, 5 and 6 east. The river lots take up about all of range 5 in township 14. The land in township 14, on the west side of the river, at the rear of the river lots, or as it is known in the 'outer two miles' is, as I have said, swampy, no timber, the only wood growth is willow and poplar brush, and this is diversified by open swamps and hay land. The soil is a heavy clay, known in the west as 'gumbo.' There was scarcely any competition at the sale for the land. No one who knew it wanted it. On the east side of the river, in township 14, range 6, east, the country is open with some scrub, but it is stony and gravelly, so stony that one cannot drive through on the trail without a great deal of care. The river lots on the east side are all covered with black and white poplar and willow. Everything that would make firewood or could be used has been taken off, as it has furnished the wood for the town of Selkirk and the immediate neighbourhood for 50 years. In township 15, ranges 4, 5 and 6, range 5 is all a floating marsh, ranges 4 and 6 are covered with white poplar, interspersed with willow and marshes. The soil is good, but generally low, so low that the provincial government about 14 years ago built, by permission of the Indian Department, two miles of corduroy road, for the use of the people who live adjoining the reserve in the Poplar Park district, two miles of corduroy in this beautiful reserve.

Now, so far as advertising is concerned, the land was advertised as every other Indian land has been advertised, and it was well advertised. The usual rule was followed, the rule which has been followed since 1894. The advertisement was inserted in the press according to the order in council of May 8, 1894, and December 12, 1896, the latter of which says:

Advertisements should not be inserted in any books, pamphlets or periodicals other than newspapers published weekly or more frequently, and all advertisements should be limited to the maximum of six insertions in daily or weekly papers.

The Minister of the Interior gave the House the names of the papers in which this advertisement was inserted. Besides those papers, there were a number of hand bills sent out. There were 200 slips mailed to the parties who applied for this land. There were one or two hundred hand bills put around the town of Selkirk. Now, the town of Selkirk is the fifth largest town in the province of Manitoba. It is from 22 to 24 miles from the city of Winnipeg. It is served by the Canadian Pacific railway on the west side, by the main line of the Canadian Pacific railway on the east side, which is about three miles from the centre of the town of West Selkirk. It is also served by an electric railway giving a splendid service between there and the city of Winnipeg. It is centrally located, it is easy of access, and anybody who wished to purchase would have been very little inconvenienced by going from his home in any part of Manitoba to the town of Selkirk. The sale was well attended. There were from 100 to 200 present, if my information is correct. I attended a sale of school lands at Arnaud, in the county of Provencher, that year, and some of that land was sold at $27 an acre. There were about 150 people present, which was considered a good turn out, and it was considered to be one of the best school land sales held in western Canada. But the remarkable feature of that sale, as compared with this sale, was that for the cheap lands the upset price was fixed at $5, and there was only one-quarter section sold at $5 an acre. People preferred land for which they paid $15, $20, $22, $26 and $27 per acre to cheap land. There was only one-quarter section of cheap land sold. Then, as to the point raised by the hon. member for Lambton (Mr. Armstrong) regarding the price of the land; it was pointed out

by the minister that it was the poorest land on this reserve that was sold by auction, and that it was the best land that was allotted to the Indians. As to the numbers that purchased, I understood the hon. member for Selkirk last night to say that there were about six, that it was a party deal from start to finish, and that a man who was a good Grit could get all the land he wanted, while the man who was a good Conservative was barred. That is not possible at a public auction. As my hon. friend the Minister of the Interior stated to-day, the number of those who purchased was 24. Who were some of those men and what are their politics, if politics must enter into this as politics have entered into it contrary to the statement of the hon. member for Selkirk that this was a non-political question? One of the purchasers of this land was Mr. G. H. Funk. I know Mr. Funk, he was at the sale at Arnaud to which I have referred; he is a wealthy man, and he is straightforward, honest and fair in his dealings. He is doing what I would do myself if I had some of his resources. He is buying western land because he is going to make money out of it. He purchased land at the St. Peter's Indian reserve. When Mr. Funk purchased this land he did not know when the surrender was made. He read the advertisement, went to Selkirk and entered into competition with those and got the portion of the land for which he had bid. Another was the Hon. Abraham Funk, an ex-senator of the United States. He is also an investor in northwest land. These gentlemen are both Americans, one of whom lives on the other side, and one lives in Winnipeg. Another man who bought land to the extent, I understand of $35,000, was Mr. J. L. Hyland, a contractor, who takes contracts for the Canadian Northern Railway Company. As far as anybody knows he has no politics, and perhaps if he could be persuaded by the corporation for which he works its inclination would lean him to the Conservative side. Another was Capt. Pollock, who has been a resident of Selkirk for many years. I know that gentleman, and he is a Tory of the Tories. He had just as much right to buy land there as anybody else. Believing that he had such a right, and having the money, he purchased the land and nobody could prevent him from doing that. But he is not a Liberal. Mr. Finkleman, a merchant of Selkirk and a member of the executive of the Conservative Association of Selkirk, or he was up to a short time ago, was another. He entered, as he had a right to do, into open competition and bought the amount of land that he thought he had a right to buy. Mr. J. C. Simpson, Conservative and ex-member of the Manitoba legislature, was another who purchased land there. His brother is now a member of the local legislature of Manitoba. He is what might be termed a blue-blooded Tory, just as good a Tory as sits on the other side of the House, just as good a Tory as there is in Canada. He bought land, as he had a right to, and he paid for it, or he will pay for it. As far as the political end of it is concerned it was just the same as it is at any other public auction—the man who bid the highest price got the land regardless of his political affiliations.

As far as the ignorance of the Indian is concerned, we were led to believe last night that you could almost do what you liked with the poor Indian. That has not been the experience of the majority of people, as the Minister of the Interior stated. The Indian is just about as clever and cute, when it comes to a question of dollars and cents, as the ordinary white man. I believe that the hon. member for Selkirk said that he did not believe that there were twenty Indians on the reserve who could read and write. I make the statement that there are not twenty between the age of from ten to forty that cannot read and write. I am not going to be positive as to that, but I know that the missionaries, such as Mr. Semmons, have done all they could to promote the education of the Indian. They have had every opportunity to do that. There are seven day schools on that reserve—South St. Peter's, North St. Peter's, East St. Peter's, Muckle's Creek school, Peguis' school, Roman Catholic school, all under the Indian Department, and one public school, and the children are taken every year from there to the Industrial schools at Elkhorn, Kenora, Brandon, &c. There are six churches and chapels; one of the churches will seat over 400 people. At the last confirmation service of the English church two years ago, held there by Bishop Matheson, over sixty were confirmed. As far as the Indians are concerned they are just as well educated as any in the northwest provinces or the Dominion.

Now, I propose to say a word as to the charge made by the hon. gentleman that 90 per cent of the receipts for the 338 patents which were issued were forgeries. This is a very series charge and, for my part, I do not care to accept it until it is proved. I do not care to accept it because it is such an easy thing to prove. I think the point was well taken by the Minister of the Interior that it was a criminal offence, and as such it should be dealt with by the Justice Department in Manitoba. That being so, and it also being true that any political caper on the part of the Liberal party would lead them into trouble—the Attorney General of Manitoba could be counted on to look after these gentlemen, particularly if they were Liberals. That has been

my experience, that has been the experience of every Liberal in Manitoba that he could bother in the least degree no matter whether there was a case or not. The hon. member for Selkirk has made a serious charge, he knows the remedy, he knows where his friends are, the machinery is there, the money is there, public opinion is there, and public opinion will be behind him and will be behind the Attorney General, no matter whether we agree with him politically or not, if he takes the proper course, which I think it is his duty to take and put where they belong the man or men who were parties to such a thing as that the rights of the Indians should be taken from them through forged deals. If this statement that 90 per cent of 338 patents were forged be true, it is sufficiently serious to call for action on the part of the law department of the government of Manitoba.

As far as the affidavits are concerned, I notice that they are all those of Indians and not of white men. I mention this only for the reason that the hon. member would have us understand that this was away from politics, that it was a matter only of the poor, down-trodden, suffering Indian and particularly of the Indian in his county. If it were as independent of politics as he would have us believe, my information is that he spent all of the Christmas holidays getting these affidavits, which he had a right to do and I do not object to it, with the commissioner, who was just as good a Tory as he was, and who acted as the hon. gentleman's agent in the last general election. I think that it is apparent that it is a party move on the part of the hon. gentleman. If he can make any move whereby he can strengthen himself in the eyes of his constituents that would only be fair and, as far as that is concerned, I would do anything that would strengthen myself in the eyes of my constituents; but I believe he is on the wrong track, and I believe that the Indians of St. Peter's reserve were fairly and honestly dealt with at that time in the interest of the settlers, in the interests of the townspeople, and in the interests of the Indians themselves, in taking them away from influences which were detrimental to their welfare and prosperity and placing them in a better position to make a living than where they were adjacent to the town of Selkirk. And above all, that the price of the land was just as good and, as has been proven, better than was paid the following June for school land just alongside of it and in some cases with only the road allowance between.

At six o'clock, the House took recess.

After Recess.

House resumed at eight o'clock.

Mr. T. W. CROTHERS (West Elgin). Mr. Speaker, last night from my hon. friend from Selkirk (Mr. Bradbury) we listened, at some length, to what in my judgment was one of the most forcible, most convincing and most damaging arraignment of the government which it has yet been my privilege to hear in this House; and to-day the government has substantially pleaded guilty to the indictment. As spokesman for the government, the hon. Minister of the Interior (Mr. Oliver) addressed this House at some length to-day, but his remarks were so feeble that the broadest charity would fail to dignify them into an argument. His efforts were so feeble indeed as to be positively pitiable to all his friends in this House. The case goes substantially undefended. All the principal facts brought out by my hon. friend from Selkirk have gone unanswered. It is true, the Minister of the Interior took up some time in dealing with matters which were comparatively immaterial. It is true, my hon. friend from Provencher (Mr. Molloy) made some remarks just before dinner which, owing to the defective accoustics of this House and the distance between him and me, I was unable to catch distinctly. He may have brought forward some arguments which I was unable to hear. But I was close enough to the Minister of the Interior to hear all that he said, and I repeat that the material facts charged against the government last night by my hon. friend from Selkirk have remained unanswered; and, with your permission and kindness, Mr. Speaker, I will endeavour to substantiate that before I sit down. What were the conditions which confronted the government of this country in the fall of 1907, respecting the St. Peter's band of Indians? In the year 1871, under treaty, a number of Crees, Chippewas and Saultaux were gathered together on this reserve, situated on the Red river about 25 miles below the city of Winnipeg, a strip of land 4 miles wide on either side of the river, and extending 10 or 12 miles in length. In the fall of 1907, about 1,300 Indians were living on that reserve. They, or their ancestors, had lived on it as a separate location since the year 1871. The whole reserve contains about 55,000 acres, of which about 5,000 acres were patented to whites either prior or subsequent to 1871. A trolley line runs between Winnipeg and Selkirk, and a steam railway runs on either side of the river. Selkirk is a thriving town of about 3,000 inhabitants. This reserve extends right up to the boundary of the town of Selkirk. Selkirk was at the head of navigation on the Red river, but now, owing to artificial

structures, navigation has been extended to the city of Winnipeg. So that we have here about 50,000 acres of land situated within 25 miles of a city which in a very few years will contain half a million of inhabitants, and is destined to be the metropolis of Canada. All the 50,000 acres is as good land as the sun shines on. I venture to think that if the hon. Minister of the Interior owned that strip in his individual right, looking forward to the possibilities of its value in the near future, he would not sell an acre of it for less than $50. Let me read a few words of some of the Indian agents of this government and of former governments. I want to read first a few lines from the late Ebenezer McColl. He was a Liberal of the old school, a resident of the constituency which I have the honour to represent. He was appointed by the Liberal administration in power here prior to 1878. During the 18 years of the late Conservative regime he enioyed the fullest confidence of Sir John A. Macdonald and those who succeeded him in the premiership of Canada—a man whose honour and integrity could not be questioned by any one who knew him. I want to read a few words from his report, written at Winnipeg, on July 31, 1900. He was at that time, and had been for many years, inspector of Indian agencies. I want to read this especially in answer to a remark of the hon. Minister of the Interior to the effect that these Indians were degenerating. Mr. McColl said among other things:

There seems to be a growing tendency amongst the Indians to attend divine service. Their interest in such matters was quite evident to me at St. Peter's during the time we were there paying the annuities, when religious services were held every evening in the adjoining chapel. These services, I noticed, were all well attended and were attentively and respectfully listened to. It is almost a quarter of a century since I first visited these reserves, and in that time I have seen some marked changes. Twenty-five years ago St. Peter's was nothing but a string of huts and tepees scattered along the banks of the Red river. The people were living upon fish, and spent their time hunting and trapping small game. There most pretentious vehicle was the Red River cart, whose creaking could be heard for miles crossing the silent prairie. To-day there are very few, if any, thatched-roofed houses. The buildings are shingled, well fenced, surrounded by gardens, with stables and storehouses adjoining.

Twenty-five years ago the small houses had but one room in which all lived and slept regardless of relationship. Now the houses are divided into compartments. There has been an almost incredible advance made along the line of moral reform.

I would like my hon. friend the Minister of the Interior to take the trouble to read some of the reports sent him from the agents and inspectors of these Indian agencies.

There has been an almost incredible advance made along the line of moral reform. Nearly all are united by our ceremony of marriage. I had not a single case of drunkenness while on my round. The fact that there is so little drunkenness among them generally speaks well for the Indians.

Then we have some remarks from Mr. John Semmons, Indian agent. He says:

All three of these places—St. Peter's reserve is one—are situated in areas of excellent land, suitable for farming and stock-raising purposes, while at the same time they are adjacent to water, so that the natives may enjoy all the advantages of sailing and fishing. All the conditions are there to contribute to the welfare and happiness of the people.

That was in the year 1903.

We have tried to teach them to observe the regulations of the department which have reference to the preservation of health, and for the most part have had their co-operation.

Some of the best soil in Manitoba is to be found in St. Peter's. All this is protected by a fringe of wood to the west and northwest. The three larger bodies have beautiful churches, resident clergymen, and organized work. The Indian, as I find him, is a religious person and well disposed towards that which is good.

I have another report from the inspector of the Indian agencies, dated 28th December, 1903, in which, speaking of St. Peter's reserve, he says:

It is all first-class land. The area is about 48,000 acres or nearly two townships, and is all first-class land, rich black soil of great depth. It is a mixed open and bush country with some very fine hay land on the north part of the reserve.

So that I hope we shall not hear any more about large portions of this reserve being worthless, when we have this inspector saying it is all first-class land, rich, black soil of great depth. The last report we have was in 1907 from a gentleman called Lewis. In that report, which is very lengthy, he says:

The land is a loam with a clay subsoil. During the winter of 1906 the market of Selkirk was almost entirely supplied with hay brought in by the St. Peter's Indians, from which they derive a large revenue. During the winter of 1906, permission was given by the department to cut and sell dry wood. 3,500 cords were cut and marketed. There are five day schools in this reserve. Out of a population of about 1,300, there are not many drunkards, and the band may be said to be temperate.

I listened to the remarks of the hon. the Minister of the Interior (Mr. Oliver) this afternoon with a great deal of interest, and I am sure that every one who heard him must have reached the conclusion that he has not the faintest conception of the duties of a guardian towards his ward. It has been defined on good authority what

those duties are, and with your permission, Mr. Speaker, I shall quote from that authority:

> The duties of a guardian towards his ward are generally to exercise the same prudence and foresight which a good business man would use in the management of his own fortune, though under more guarded restraint.

Let us look a little further to ascertain what parliament and the people of this country have defined the duties of the guardians of these wards to be. Parliament has declared that the government of Canada shall be the guardians of the Indians of this country, and I want to say here that I have been unable to find any authority whatever for this or any other government in Canada making a present of public lands to the unenfranchised Indians. I do not believe that authority exists, in any law or statute in this country, for the government making a grant in fee simple to the non-enfranchised Indian. Let us look at a few sections of the Indian Act and see what we can gather from them. Every line of this statute, composed of 195 sections, declares that the government of Canada shall be the guardians of these Indians and that these Indians shall be the wards of the government. Every line of this statute declares that it is the duty of the government to look after these wards as a guardian would look after the interests of the infant left to his care These Indians are but infants. The hon. gentleman a few weeks ago spoke of them as understanding business transactions just as well as the average member of this House, and he spoke as if he expected some one to believe him. But the facts set forth last night by the hon. member for Selkirk (Mr. Bradbury) and not denied, have satisfied every one in this House that the Indians on that reserve had not reached that state of intelligence to enable them to look after themselves. We have in the fourth section of the Indian Act these words:

> The Minister of the Interior or the head of any other department appointed for that purpose by the Governor in Council shall be the Superintendent General of Indian Affairs, and shall as such have control and management of all the lands and property of the Indians in Canada.

So that the people of Canada have placed in the hands of the government the management and control of all the lands and property of the Indians in Canada, and the Minister of the Interior, as Superintendent General of the Indian Affairs, is the man under whose control the lands and properties of all the Indians in Canada are. And the Minister of the Interior, as Superintendent General of Indian Affairs, is the man who is primarily liable to the people of Canada to-day, and the government, through him, is responsible for what I regard as one of the most contemptible schemes and swindles that the people of this country ever witnessed.

The Indian Act does give the power to make patents to Indians in certain instances, but let me show what is required of an Indian before he can become entitled to a patent in fee simple of any land in this country, and you will see from this statute how carefully the interests of the Indian have been protected by the parliament of Canada.

> Sec. 108. Whenever any male Indian or unmarried Indian woman, of the full age of 21 years, makes application to the Superintendent General to be enfranchised, the Superintendent General should instruct the agent of the band of which the applicant is a member, to call upon the latter to furnish a certificate, under oath, before a judge of any court of justice, by the priest, clergyman or minister of the religious denomination to which the applicant belongs, or by a stipendiary magistrate, or two justices of the peace, to the effect that to the best of the knowledge and belief of the deponent or deponents, the applicant for enfranchisement is, and has been for at least five years previously, a person of good moral character, temperate in his or her habits, and of sufficient intelligence to be qualified to hold land in fee simple, and otherwise to exercise all the rights and privileges of an enfranchised person.

That first section requires an affidavit sworn before a judge by a priest, clergyman or minister that the applicant for enfranchisement has for five years been a person of good moral character, that he has for five years been temperate in his habits, and that he has sufficient intelligence to be qualified to hold land in fee simple and otherwise to exercise all the rights and privileges of an enfranchised person. Without any of these safeguards, the government, on the representation of the Superintendent General of Indian Affairs, deeded 21,000 acres of land to these Indians without any inquiry from priest or minister or any one else as to whether they were men of good moral character, who had been temperate for five years and had sufficient intelligence to entitle them to obtain their deed in fee simple. Other sections are:

> 109. Upon receipt of such certificate, the agent shall, with the least possible delay, submit the same to a council of the band of which the applicant is a member, and he should then inform the Indians assembled at such council, that thirty days will be given within which affidavits made before a judge or a stipendiary magistrate will be received, containing reasons if there are any of a personal character affecting the applicant, why such enfranchisement should not be granted to the applicant.
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> 110. At the expiration of the thirty days aforesaid, the agent shall forward to the

Superintendent General all affidavits which have been filed with him in the case, as well as one made by himself before a judge or a stipendiary magistrate, containing his reasons for or against the enfranchisement of the applicant.

2. If the Superintendent General, after examining the evidence, decides in favour of the applicant, he may grant to the applicant a location ticket for the land occupied by him or her as a probationary Indian, or for such proportion thereof as appears to the Superintendent General clear and proper.

112. After the expiration of three years, or if the conduct of such Indian has not been satisfactory, after such longer period as the Superintendent General deems necessary, the Governor in Council may, on the report of the Superintendent General, order the issue of letters patent granting to such Indian the land in fee simple, which has been allotted to him by location ticket.

2. Such letters patent shall contain a provision that such Indian shall not have power to sell, lease or otherwise alienate the land except with the sanction of the Governor in Council.

3. In such cases, compliance with provisions of this part respecting leases or surrender of lands in a reserve shall not be necessary.

113. Every such Indian shall, before the issue of such letters patent, declare to the Superintendent General the name and surname by which he wishes to be enfranchised and thereafter known, and on his receiving such letters patent in such name and surname, he shall be held to be enfranchised, and he shall thereafter be known as such name or surname; and, if such Indian is a married man, his wife and minor unmarried children shall also be held to be enfranchised.

2. From the date of such letters patent the provisions of this part and of any Act or law making any distinction between the legal rights, privileges, disabilities and liabilities of Indians and those of His Majesty's other subjects, shall cease to apply to such Indian, or his wife, or his minor unmarried children, and he and they shall no longer be deemed Indians within the meaning of the laws relating to Indians, except in so far as regards their right to participate in the annuities and interest moneys, and rents and councils of the band to which they belong.

117. Whenever any member of a band, for three years immediately succeeding the date on which he was granted letters patent from his enfranchisement as aforesaid, or for any longer period that the Superintendent General deems necessary, by his exemplary good conduct and management of property proves that he is qualified to receive his share of the moneys of such band, the Governor in Council may on the report of the Superintendent General to that effect, order that the said Indian be paid his share of the capital funds at the credit of the band, or his share of the principal of the annuities of the band, estimated as yielding five per cent of such moneys as are provided for the purpose by parliament.

2. If such Indian is a married man, he shall be paid his wife's and minor unmarried children's shares of such funds and principal moneys, and if such Indian is a widow, she shall also be paid her minor unmarried children's shares.

Mr. CROTHERS.

So that the people have declared that before an Indian shall be entitled to receive a title in fee simple to a piece of land, the priest or clergyman and the agent shall make affidavits that they have known the man for five years to be a man of good moral character, of temperate habits and of sufficient intelligence to be entrusted with the management of real estate. Then the band has to be called together and notified that application has been made and the band are given thirty days to show why the applicant should not get a patent, to show that he is not an Indian of good moral character, that he is of intemperate habits, that he is not an Indian of sufficient intelligence to be entrusted with the handling of realty. Then the Superintendent General of Indian Affairs may locate him on a lot as a probationer for three years longer before he is entitled to his patent. Thus he must have been a man of good moral character for eight years, a man of temperate habits for eight years, a man who has displayed intelligence in his private affairs for eight years, before he will become entitled to a patent, and in addition to that he must add on three years more before he is entitled to receive as an individual freeman his share of the money in the Indian fund. The people of this country, guardians of the Indians, who are mere children, have surrounded these children, children of nature, by these safeguards. How in the world did the Superintendent General of Indian Affairs, the government of this country, surround these men with safeguards when they gave patents to lands amounting to 21,000 acres, knowing full well, as Mr. Frank Pedley, the Deputy Minister, wrote to his chief, that they would, in a very short time, alienate all these lands?

Are we fair in drawing the inference that when this government undertook to secure a surrender of that reserve which had belonged to these Indians, and to deed to them 21,000 acres of land, no evidence of their moral character, no evidence of their temperate habits, no evidence of their intelligence to handle their own affairs, no probation for three years as required by the parliament of Canada—are we right, I say, in inferring that when these 21,000 acres of land were, by the government of this country deeded over to these children of nature, the government knew and understood that in a very short time they would become an easy prey to the unscrupulous whites, more advanced in intelligence, while less amenable to conscience? Is it a fair inference, yea, is it not rather expressly proved by the deputy minister when he writes to the Minister of the Interior saying, I anticipate that in a very short time these Indians will alienate their land to the whites? So I submit to you, Mr. Speaker, that this government, when they determined to con-

vey 21,000 acres of land to men of whom they knew nothing as to their moral character, as to their temperate habits, as to their thrift, as to their intelligence, the government became a party to the dissipation of 21,000 acres of the public domain of this country? The Minister of the Interior tries to shelter himself behind Chief Justice Howell, of Manitoba. Well, I am not very much concerned about Chief Justice Howell, I have not had the advantage, or disadvantage of an acquaintance with him. But I have lived long enough to know that a chief justiceship bestowed by this administration carries no guarantee against partisanship, or for wisdom, humanity, or common, every day honesty. So we do not propose to deal with the Chief Justice of Manitoba, we propose to deal with the government of this country who is responsible for what has been done in this regard. Let me read to you a few more sections to show in some more detail the way in which the government looks after these Indians, or are supposed to look after them, because in this case they did not look after them at all. Those Indians were by this government treated with a callous indifference and cruelty that excites the sympathy and indignation of every man capable of distinguishing right from wrong. I will read section 38:

38. The Governor in Council may make regulations for prohibiting the sale, barter, exchange or gift by any band or irregular band of Indians, or by any Indian of any band or irregular band, in the province of Manitoba, Saskatchewan or Alberta, or the Territories, of any grain or root crops, or other produce grown upon any reserve, and may further provide that such sale, barter, exchange or gift shall be null and void, unless the same are made in accordance with such regulations.

39. No person shall buy or otherwise acquire from any band or irregular band of Indians, or from any Indian, any grain, root crops, or other produce from upon any reserve in the province of Manitoba, Saskatchewan or Alberta, or the Territories.

40. If any such grain or root crops, or other produce as aforesaid, are unlawfully in the possession of any person within the intent and meaning of this part, or of any regulations made by the Governor in Council under this part, any person acting under the authority, either general or special, of the Superintendent General, may, with such assistance in that behalf as he thinks necessary, seize and take possession of the same; and he shall deal therewith as the Superintendent General, or any officer or person thereunto by him authorized, directs.

41. The Governor in Council may make regulations for prohibiting the cutting, carrying away or removing from any reserve or special reserve, of any hard or sugar maple tree or sapling.

43. No person shall barter directly or indirectly with any Indian on a reserve in the province of Manitoba, Saskatchewan or Alberta, or in the Territories, or sell to any such Indian any goods or supplies, cattle or other animals without the special license in writing of the Superintendent General.

2. The Superintendent General may, at any time, revoke the license by him given.

3. Upon prosecution of any offender against the provisions of this and last preceding section, the evidence of the Indian to whom the sale was made, and the production to, or view by, the magistrate or Indian agent of the article or animal sold, shall be sufficient evidence on which to convict.

So, Mr. Speaker, I think I have read enough from this Act to show that the parliament of this country has declared in every section of it, indeed in every line of it, that in the opinion of this country the unenfrachised Indians are not capable of protecting themselves against the schemes and tricks of the unscrupulous whites; and I charge here that the government of this country have grossly neglected their duty with reference to the St. Peter's band of Indians. Now, in 1907 it seems that some one desired that this reserve should be surrendered. The evidence, so far as we have heard it, goes to show that only one man requested that the Indians should be asked to surrender their reserve, and that was the man who represented that constituency in this House as a supporter of the present government. He had been an Indian agent for some years, he resigned, became a candidate, was elected, and sat in this House and supported our friends on the other side; and when he was subsequently defeated they returned him to his office as Indian agent. He is the man who made some of these reports I have read to you. I have not been able to find any authority in this statute, or anywhere else—there may be some, but I have not been able to find any authority for this or any government of Canada to deed in fee simple to an unenfranchised Indian any part of this country. Here the government deeded 21,000 acres of land to these men, knowing, expressly anticipating that they would become the easy prey of land speculators, and that they would speedily dissipate the small pittance that they would get from this land. I ask you, Mr. Speaker, I appeal to every man in this House, whether he sits on this side, or on the other side of it, can he, in his judgment, and in his conscience say that the government was right in deeding 21,000 acres of land to these children of nature who knew not how to take care of it, and who, they anticipated, would immediately sell and dissipate it?

The motion before the House to-day is that the members of this House should express condemnation of the conduct of the government in that regard. Two questions arise, as I understand it. The first one is the policy of the government in desiring to get a surrender from these Indians

and to send them back 150 or 200 miles into the wilderness again. That is one question. There may be some argument in favour of it. There have been five schools and many churches maintained on that reserve for years. Many of us are asked to contribute. To do what? To guide, if possible, these children of nature to a higher intelligence, to self-control, to good citizenship and the evidence of Ebenezer McColl is that these Indians had made satisfactory progress, slow, of course, as the progress in such matters always must be, but that they were making progress in intelligence, in the line of moral reform and temperance. Then, the first question is as to what we think of the policy of gathering up these men and women who have been living there for generations and driving them and their children from the rude but happy homes of their childhood away back into the wilderness—no friends, no home, no house, no wigwam! Does that strike us as treating these people as we profess to treat them as Christian people, striving to lead them higher in intelligence, higher in morality, striving to lead them to a higher life of self-control and good citizenship. Is that the way to do it? After you have kept on for fifty or sixty years, teaching them in schools and churches, educating them, bringing them along gradually you send them away 200 miles into the wilderness. Begin all over again, build more schools and churches and send more missionaries there! That is one view of it. But, that is not the more serious question. The more serious question is the manner in which this surrender was secured. The Minister of Interior to-day dwelt largely on the word 'bribery'—not so strong on that point as he was five months ago, but still he showed considerable strength in his objection to the idea of these men being bribed. What was it if it was not bribery? You sometimes give a child five cents if it will take some disagreeable medicine. Bribery! You give it a candy and cause it to do something. Bribery! What is bribery? Something given to pervert the judgment and get an individual to do that which he otherwise would not do. That is what bribery is and I say that every one who had anything to do with this transaction that is presented here to-night and not denied by any one from the Minister of the Interior and Chief Justice Howell, all the way down, was guilty of bribery in inducing these Indians to give up their homes. We had it stated here last night in several affidavits how they were induced to surrender their reserve. It was stated in affidavits here last night that they were given but one day's notice. That has not been denied. The Minister of the Interior said something this afternoon—

Mr. CROTHERS.

Mr. OLIVER. If that is one of the statements that has not been denied, I wish to deny it now.

Mr. CROTHERS. It would be interesting to know on what ground the Minister of the Interior makes the denial. I would very much prefer to have the denial of some one who was there and knows the facts. It was stated here upon an affidavit that there was but one day's notice given, which was Sunday, and that the meeting was held on Monday in a room so small that only a small portion of the Indians who gathered together could get in. It was stated on affidavit that the Deputy Minister told the Indians that he had $5,000 in his satchel, and that if they would consent to the surrender they would get that $5,000, and that if they would not consent to it he would gather up his grip and go back to Ottawa. Where did the money come from? It was your money and mine they took away to buy up these poor children of the forest, to surrender their homes, the homes of their wives and their little ones, the rude huts in which their children were born and in which their children had grown up. Still, he says that we must not call that bribery. If I could find a word of ten times the strength of bribery, I would use it on this occasion and use it with the greatest justification. It was stated here last night in a sworn statement that a gentleman went out of the little school house and, in the Cree language, said to the Indians: Those who want $90, go over with the chief and councillors, and those who do not want $90 go over on the other side. Now, Mr. Speaker, that was stated here last night under oath, but that was not the first time it was stated. It was stated in this House, in the presence of the Minister of the Interior, nearly five months ago. If that statement were not true, the Minister of the Interior would have some affidavits here to deny it. Chief Justice Howell was there on that occasion more than two years ago. The minister knew this charge of bribery was made, this charge about the $90, this charge that only a few Indians knew what was going on in this little building, because being outside they did not hear anything, because five months ago it had been brought to his attention in this House by Mr. Bradbury. If it were not true, how is it that we have not an affidavit from Chief Justice Howell denying it? The minister stated this afternoon that he had not heard anything about some of these things until he heard it last night. Well, suppose he had not, the Deputy Minister, Frank Pedley, is in the city to-day. How is it that he has not an affidavit from him to the effect that what was stated here last night is not correct, because Mr. Pedley is the man who was stated to have told the Indians that: I have a grip here with

$5,000 in it; if you vote for the surrender you will get $5,000; if you do not I will go back to Ottawa, take it with me, and you will not get a cent. Bribery! He is indignant because we say they bribed these poor Indians who sacrificed their homes, friends, teachers, priests, everything that they had been taught to prize most highly in life. Bribery! Then they gave them the deed of 80 acres of land that they knew they were going to sell. The Minister of the Interior has the courage to sit in his seat now and laugh at the idea that these poor Indians were bribed. Could he go further than that? My friend from North Grey (Mr. Middlebro) dissected the 49th section, which he thought required a majority of all the male Indians of a band at a meeting assembled, of the full age of 21 years, to surrender.

Now, Sir, I quite agree with my hon. friend (Mr. Middlebro) that that is the meaning of that section, although I do not say that it is so beyond all question. But there have been decisions in our courts on statutes worded in substance as this statute is worded, holding that the majority of the whole people are required to express their opinion under such conditions. and not merely a majority of those present at a meeting. I believe that to be the meaning of this section. I believe it is to be fair according to the spirit of the law even if it be not according to the letter of the law. Who, for one moment, with a particle of humanity in his soul would get a few Indians together and by offering them $90 a piece, and 16 acres of land a piece, would induce them to sign away the rights of their neighbours, their wives, and their children? It makes the blood in one's veins boil with indignaton when we think of the manner in which these simple people were cheated, and yet the government professes to be indignant because we say they bribed them. This land was deeded to the Indians, and you have heard the evidence. It was sold here and there and elsewhere, a few acres at a time, just as we would expect a child or an Indian to do it. If the Indian wanted $5 or $10 he would sign anything to gratify his present requirements. If he had a good big dinner he would lie down and sleep for a few days never thinking of how he would get a dinner for the morrow. We all know that is the nature of the Indian. No one knew that better than the Minister of the Interior, no one knew that better than Chief Justice Howell; no one knew better than these two gentlemen when they gave these children of nature a deed of land that they would dissipate it within a few days. The Indians parted with the lands at $5 an acre taken out in truck—land situated as it is, all the very best of land, land which I venture to say neither the Minister of the Interior nor the hon. member from Rainy River (Mr. Conmee) would have sold for less than $50 an acre if they had a patent for it. That is the land that was dissipated at $5 an acre by the Indian. The Indian has squandered the money and the Indian is on our hands now. Well, Sir, it simply meant taking 21,000 acres of the peoples' land and giving it to a few land sharks. That is the substance of the whole matter. What more did we have? We had this sale. The Minister of the Interior was asked two or three times why the advertisement was not continued in the newspapers up to the date of the sale, and we heard no answer. I have said that it is the duty of a guardian in the management of an estate to exercise the same prudence and foresight that he would use in managing his own fortune. I want to ask you, Mr. Speaker, and the hon. gentlemen of this House, if, the Minister of the Interior had been the owner in his own individual right of these 48,000 acres, he would have advertised them for sale and sold them for whatever was offered? No, he is one of the last men in this House to do a thing of that kind. What do we do when we have a piece of land to sell under mortgage, or for an infant. We offer it for sale at public auction in the older parts of the country, we get at least three men who have no personal interest to serve to value that land and make an affidavit as to its value, and when we tell the auctioneer that unless the bid reaches a certain price he is not to declare the land sold. Is not that what the Minister of the Interior would have done if this land had been his own? Is there a man in this House who believes he would not have done that very thing were it his own case? And Sir, if he would do it in his own case, he has been guilty of a breach of trust for not doing it in this case. We have an official in the province of Ontario who is called the official guardian, and whose duty it is to look after the interests of infants. That official never allows the land of an infant to be sold unless he has affidavits as to its value from three independent men whom he knows to be reliable and who have no personal interest in the matter. Then there is a reserve bid fixed. I ask you, Mr. Speaker, I ask the hon. members of this House if the government of this country in this transaction have discharged their plain duty as guardians of the Indian wards of the country? Is there a man in this House who can say they have? Is there a man in this House who would not vote condemnation of this transaction if he were to follow the dictates of his judgment, and his conscience? I don't think there is a single one.

Mr. CLARK. Mr. Speaker. I rise to a point of order. I believe the hon member (Mr. Crothers) should resume his seat while I am stating my point of order.

Mr. CROTHERS. Certainly.

Mr. CLARK. The point of order I wish to raise is: How far is the hon. member for Elgin in order in charging the majority of this House with voting against their conscience?

Mr. CROTHERS. I have not made any such charge. I am saying, Mr. Speaker, that I believe that every member of this House, were he to follow the dictates of his judgment and his conscience, would vote condemnaton of the government for their conduct in this transaction, and if my hon. friend from Red Deer has any regard for my good opinion I hope he will vote that way when the vote is taken. Now, Mr. Speaker, the Minister of the Interior in a very ostentatious manner declared that these Indians were not compelled to sell their land. He actually said it was no concern of his if they sold that land for $1 an acre or for $100 an acre. Would you believe it, Mr. Speaker; would my hon. friends sitting around me here believe that the man whom the people of this country have appointed guardian of these children of nature, would get up in this House and say that he was utterly indifferent whether the Indian sold his land or did not sell his land, or, whether he got $1 an acre for it or $100 an acre for it?

Why, Mr. Speaker, it seems to me to be monstrous. It seems to me that the Minister of the Interior has never read the Indian Act, or, if he has read it, he has never appreciated the meaning of it. It seems to me that if he had read the Act, he would have known what was necessary to entitle an Indian to a deed of land in fee simple. This land was sold on the 16th of December, if I remember rightly, when it was covered with snow—no advertisement of the sale for twenty days before —and sold for $5.60 an acre. $86,000 was got for the land, and of that amount $28,000 was spent in expenses up to a year ago; Chief Justice Howell getting $25 a day for the time he was settling up this matter at Selkirk, and the two lawyers employed by the government getting $50 a day each. A year ago $28,000 of the $86,000 had been squandered, and I do not know how much has been squandered since; but I venture to think that by the time they get all the Indians moved back 150 or 200 miles to where they have sent them, there will not be a single dollar left to put into the Indian fund. The Minister of the Interior told us in November last that 24,000 acres had been sold and 21,000 acres had been given to the Indians, and of this I believe all but a few acres has been sold. The sum total of the whole transaction is that somewhere between 45,000 and 50,000 acres of land as good as the sun shines on, situated within 25 miles of a city which in a few years will have a population of half a million and is destined to become the metropolis of Canada—land worth $50 an acre, which would give you over $2,000,000—has been sold, and yet there will be absolutely nothing left for the Indians or for anybody else. I am surprised to find so few here to-night to listen to a matter of this kind. I am sorry the Prime Minister is not here. He was here last night, and during this, in my judgment, most damaging arraignment of this government that has been brought before this House since I have been a member of it, he found it consistent with his duties to be sitting on the back benches chatting and joking with his followers, while the Minister of Finance found it convenient to sit reading the newspapers during that most convincing and most damaging arraignment of the government. Nero fiddles while Rome burns. I notice that the Minister of the Interior is uneasy. It is no wonder he sits restless in his seat; yes he sits there having written across his features in indelible characters, characters too deep and dark for blushes to conceal, the word guilty—guilty of the most contemptible and nefarious transaction that has taken place——

Mr. FIELDING. I rise to a point of order. I object to the hon. member characterizing a member of this House as being guilty of contemptible conduct.

Mr. SPEAKER. This is beyond the limits of debate.

Mr. CROTHERS. Mr. Speaker, I am very glad to conform to the rules of this House in every respect as interpreted by you.

Mr. CONMEE. Withdraw the statement.

An hon. MEMBER. Withdraw the Bill.

Mr. CROTHERS. I understand, Mr. Speaker, that you rule that that expression should not be used, and of course, I withdraw it at once, and I will say that it is the most outrageous conduct, the greatest breach of public trust, that has yet been disclosed against a government already on the eve of moral bankruptcy and tottering to its fall. I appeal to the members of the House on both sides to express their condemnation of this transaction, and I repeat that I believe that if they were to follow the dictates of their judgment and conscience they would condemn it. But, Mr. Speaker, while experience gives no hope that, with the majority, conscience will prevail, still I feel certain that this burning outrage will arouse indignation and

receive the well-merited condemnation of all moderate men throughout this country.

Mr. GEORGE E. McCRANEY (Saskatoon). Mr. Speaker, the hon. gentleman who has just taken his seat has told the House that this is the most serious matter that has come to the attention of parliament since he has been a member.

Mr. CROTHERS. I beg my hon. friend's pardon. I did not say that.

Mr. McCRANEY. I want to treat the hon. member fairly; I hope I have not misinterpreted him. At any rate, I think I may say for myself, if the hon. gentleman repudiates it, that it is the most serious charge which has been brought against this government since this parliament was elected. It is the first opportunity that the opposition has had of attacking the Minister of the Interior in regard to the administration of his department. The very bitterness which they have shown in their speeches and their vehemence of utterance show that they do not expect to have another chance for a very long time. Let me direct the attention of the House, as my hon. friend has done, to the original conditions under which this reserve of St. Peter's was laid out. In the year 1871 a treaty was made with the Chippewa and Cree tribes of Indians for setting aside the reserve which is now known as the St. Peter's reserve. In that treaty there was this term:

If at the date of the execution of this treaty there are any settlers within the bounds of any of the lands reserved, Her Majesty reserves the right to deal with such settlers as she deems just so as not to diminish the extent of land allotted to the Indians.

I think that clause in the original treaty explains to a great degree the reasons for the surrender which we are discussing to-night. It is a matter of record that from time to time claims were made by those who had already settled in this tract set aside for the reserve prior to the making of the treaty. Some of them were half-breeds, some of them were Indians, and I suppose some of them were whites. At any rate when this whole tract of land was set aside, there were claims admitted by the government between 1871 and 1906, when the Hon. Chief Justice Howell was appointed commissioner, which amounted to some 5,400 acres. As I understand it, these small parcels of land scattered throughout the reserve and occupied by enfranchised Indians and whites, were a menace to the administration of the reserve by the Indian Department. In this clause I have just read you will see that the Crown was to deal with such settlers as had obtained rights within this area in such manner as the Crown might think just, so as not to diminish the extent of land allowed to the Indians. There were many claims placed before the government by those who had their rights before they became members of the band which subsequently settled upon these lands, and Mr. Chief Justice Howell was appointed commissioner. The very fact that claims to the extent of 5,400 acres had already been dealt with shows that they were considerable and that Chief Justice Howell had evidently a very considerable work cut out for him. His investigation resulted in the agreement to surrender, which has been read by the Minister of the Interior. The reasons for obtaining such surrender are easily seen. It was to extinguish these claims which were before the government and which were held by members of the band who were on this land. There was also the general reason, which no doubt has always prevailed, for the removal of any Indian band when civilization encroaches upon them, and when it is better for themselves that they should be removed, and a great deal better for the settlers who live near the reserves that these reserves should be thrown open for settlement and the land cultivated, as white people know how to cultivate.

I want to point out that this 48,000 acres includes not only lands which were set apart as a reserve for the Indian band, but also whatever lands were in dispute between the Indians or half breeds and the government, and which claims arose prior to the setting aside of this tract in 1871, under the treaty I have just referred to. I would also point out that the agreement specially provides that there shall be no diminishing of land allowed to the Indians by virtue of any land being granted out of the reserve to those who have proper claims. In the subsequent settlement, in which the Indians obtained a reserve of 75,000 acres towards Lake Winnipeg, they got this additional land so that if their reserve should be diminished by reason of the admission of any further claims, this new reserve would compensate them for this diminution.

There are three points upon which the opposition criticise the agreement of surrender obtained from the Indians during the negotiations of Chief Justice Howell. They criticise the grant in severalty. I would point out that if any of these people who live upon this reserve were entitled to any rights whatever in severalty, they were entitled to them before they became members of the band under the treaty of 1871, and consequently they were entitled to them in severalty; and if they were entitled to them in severalty, then, I think, it is a fair conclusion that, being the same people, they were entitled to them in severalty at the time this new arrangement was made.

There is also this objection taken to the

terms of the surrender, and that is that the sale of the land granted in severalty should have been conducted under government supervision. So far as I am aware this was not one of the terms in the agreement made at the instance of Chief Justice Howell. I understand it was in the original agreement; and having been in the original agreement was submitted to the Indians, who refused to accede to it and insisted that they should be seized of the lands in severalty without any interference whatever on the part of the government. For the reasons I have pointed out, it does seem to me that the government was justified in adjusting claims which should have been made prior to 1871 in severalty and in settling these claims in severalty in 1907.

The third objection made to this agreement is the provision for an advance of $5,000 on account of half of the proceeds. Let me read this extract from the agreement:

The department shall advance, at the time of the surrender, the sum of $5,000 to be repaid out of the first money received from the sale of the land.

This evidently is the $5,000 which Mr. Pedley had in his grip and which was referred to by my hon. friend in very vehement terms as bribery. That is a very strong term to use. It is one which should not be used except under the greatest provocation, and I wish to point out that, under the Indian Act, the government is authorized to pay over to the Indians a sum not exceeding 50 per cent of the proceeds of any lands sold. So my hon. friends opposite use the term bribery with reference to a matter which is authorized by Act of parliament.

Mr. BARKER. Does the hon. gentleman contend that the statute authorizes the government to pay $5,000 before the sale in connection with the consent to the bargain that was being made?

Mr. McCRANEY. I think that the statute authorizes the payment of the 50 per cent, it does not say anything as to the time of payment.

Mr. BARKER. But 50 per cent of the proceeds of the sale which has not yet taken place.

Mr. McCRANEY. The statute does not permit or prohibit the payment of the money at the time when the surrender is given. Those of us who have had experience with Indians in the northwest, who have lived close to reserves, will very well understand that there is no possibility of getting an Indian to make any business transaction unless he sees the money. About three years ago I was with the minister at Battleford, when the chief and councillors of an Indian band, living on a reserve near there, were endeavouring to negotiate with the minister for the disposal of their reserves and asking that new lands might be given to them in the northern part of Saskatchewan. I must say that as a result of that experience I have had a very different opinion of the Indian. I felt that the chief and his council were as astute real estate dealers as one could find in any part of the country. They thoroughly understood their rights, and I am sure they got them fully before any surrender was made. But I want to point out that you can never get a surrender from the Indians unless they see their money, and the fact that this money was advanced for some time in anticipation of the sale cuts no figure at all in this transaction.

I wish to point out some of the sales that have taken place in townships adjoining this reserve. On June 10, 1909, lands were sold as follows at a sale of school lands by public auction:

Southwest quarter-section 11, 14, 6, east of the 1st.

Northeast quarter-section 11, 14, 6, east of the 1st.

Northwest quarter-section 11, 14, 6, east of the 1st.

This was 480 acres in all, three miles from the reserve, and sold at $5 an acre.

Southeast quarter-section 29, 14, 6, east of 1st.

Northeast quarter-section 29, 14, 6, east of 1st.

The southwest quarter and the northwest quarter of 29, 14, 6, east of the 1st, all at $5 an acre.

The southwest corner of 29, 15, 6, east of the 1st.

The northeast quarter of 29, 15, 6, east of 1st.

All at $5 an acre.

On the 28th June, 1907, 80 acres immediately adjoining the reserve, the west half of the southeast quarter of section 11, 14, 4, east of the 1st, sold at $10 an acre.

The southeast quarter of 29, 14, 4, east of the 1st sold at $7 an acre.

The northwest section of 29 14, 4, east of the 1st, sold at $7.

The southwest corner of 29, 14, 4, east of the 1st, at $9 an acre.

The northeast section 29, 14, 4, east of 1st, $8,25.

All of section 29 15, 4, east of the 1st at $7.

This last piece of land is about four miles from the northeast corner of the reserve. So that when my hon. friends talk as though this land was worth $25 to $50 an acre, they will see that sales have been made on terms more favourable to the purchaser, in adjoining townships, at prices very close to those obtained at this sale. The hon. member for Selkirk (Mr. Bradbury) attacked the receipts which are held

by the Minister of the Interior, and charged that they were not signed by those by whom they purported to have been signed. If there has been forgery, it is not a matter to be defended on this side of the House, it is a matter for prosecution by those who believe in the charges. I think, if my hon. friend is in earnest, he will wire the facts to the Attorney General of Manitoba, and as no doubt the Attorney General of Manitoba will be very prompt in a matter of this kind, perhaps when the House opens in the morning, he can report that proceedings have been taken for the arrest of the parties accused. I would suggest that he do it immediately, because eleven o'clock in Ottawa will make it a nice time for the Attorney General of Manitoba to get down to his office and have the matter before him.

Mr. BRADBURY. I would make a suggestion to the hon. member. It would be that he should try to induce the man responsible for the protection of these Indians to take proceedings.

Mr. McCRANEY. If I believed the statement the hon. member has put before the House, I certainly would, and I am certain the Minister of the Interior would do so without any suggestion from my hon. friend.

Mr. OLIVER. Hear, hear.

Mr. A. MEIGHEN. (Portage la Prairie). I regret exceedingly that I was not able to closely follow the argument, if you may call it such, of the hon. member for Saskatoon. However, there was a significance to his last remark which at least deserves reply. Apparently by that remark he wished to enunicate a new doctrine that a government are in no case bound to investigate any charge unless first of all they believe that charge is true, because he says that unless he believed the charge made and substantiated by evidence by the hon. member for Selkirk (Mr. Bradbury), he would not recommend it to be investigated; and in that of course he only follows the cue of the Minister of the Interior himself, who enunciated that doctrine. If we are to follow any such theory as that we might just as well start out by enunciating that there are to be no more investigations under this government, because no government I ever heard of would first of all announce that they believed the charges against themselves. But that statement of the hon. member for Saskatoon (Mr. McCraney) was not one whit more absurb than has been the whole theory of the government in their defence against these charges. As my hon. friend from West Elgin (Mr. Crothers) said, the only skill that has characterized the members who have spoke on behalf of the Minister of the Interior, and the minister himself, has been in evading the charges levelled against his department. His department is charged with resorting to improper means in procuring this surrender. They stand charged with having procured that surrender by dangling dollars before the Indian chiefs and before the Indians themselves, and by improperly putting a vote to the Indian band. If it is proper to dangle $5,000 before the eyes of the Indians in order to induce them to vote away their heritage, then there can be no charge on that score against this government. If it is proper to put a vote as to the surrender of a band by offering $90 to all who voted for it, then on that score also there is no charge against the government, and there is nothing to investigate. It is proven and admitted that the man who put the vote indicated to the band that those who voted for it would get the $90.

Now there are two things that emerge clear from this discussion. The first is that a band of Indians were in possession of 48,000 acres of land in St. Peter's reserve, and that the government desired to move them further north, and did so at a cost to this country of 95,000 acres of land, and many, many thousands of dollars. The second is that a band of speculators is now safely sheltered on the other side of the ledger and rich for life. Now those are two premises that must go undisputed; if any one wishes to dispute them, let him stand up. Now the government say. That may be the case, the speculators may be rich and the country may be out, but we are not responsible. And why? First of all, they put the august personage of the Chief Justice of Manitoba between them and harm. The Minister of the Interior, when this charge was first levelled at him last fall, struggled for a considerable time to assert that the man responsible was the Chief Justice of Manitoba, and that if we dared say a word about this transaction, we were impugning the honesty of the chief justice. I have sometimes had something to do with the Chief Justice of Manitoba, but I have nothing to do with him now. We are not concerned with the Chief Justice of Manitoba, we are concerned with the parties who carried out the transaction and who are responsible to us and to the people of this country. If the chief justice, or some other person by his instruction, recommend that deal as a matter of business that does not absolve the minister for putting through the deal as a matter of policy. Now to procure the surrender of that reserve it was necessary, first of all, to use the means I have outlined, it was necessary to send a responsible officer of this government, the man who sits next to the minister himself, out there with a bag of $5,000 to bribe them by the looks of the green.

The minister smiles when that is mentioned. Why does he smile?

Mr. OLIVER. I do not know whether my hon. friend is indulging in rhetoric for rhetoric's sake, but I beg to say that I did not smile on that particular occasion.

Mr. MEIGHEN. I always had some respect for the Minister of the Interior, and I have a little more now. But I certainly did understand him to assume that attitude during the speech on that point of my hon. friend from West Elgin, and I imagined I heard him say: Surely this innocent hon. member for West Elgin is not shocked at that, surely it is time he knew that this is not the first election we have carried by means very similar, by means exactly the same. The member for West Elgin should have known that this government would not be in power to-day if they had not adopted those very means at elections that they adopted to secure a majority of the Indians of St. Peter's band to consent to this alienation.

Mr. OLIVER. I would like to have it understood that when the hon. gentleman attributes certain attitudes to me, or certain ideas to me, he does it entirely on his own responsibility, and without any justification.

Mr. MEIGHEN. I am not at all shirking responsibility. The attitude of the minister shows that he is uneasy under this charge, and I think that does credit to his honour. Now, I said the result was that the country was out the land, the country was out the money, and that the speculators were rich for life. But where is the Indian? The Indian was left to be the prey of the speculators. By what authority have the government abandoned him? By what authority did the government flee from its position as their guardian for a matter of commercial advantage? Does the Minister of the Interior claim that he is justified in abdicating his position as guardian of the Indians of this country? Is he their guardian when he places in the hands of an Indian 16, or 100, or 180 acres of land, as he has done. Is he their guardian when he allows them to dispose of that land, contrary to law, to a band of greedy speculators? Where does the minister get his authority for abandoning the trust, for fleeing away from his duty as he did in this case? The Minister of the Interior has not answered that, nor has the member for Saskatoon, who is a lawyer; neither of them have answered the charge made to-night that they illegally granted those lands to the Indians. Is there any authority in the Indian Act for granting land to an unenfranchised Indian? The Indian Act is the statute of this country, framed in order to fortify these helpless people against speculators and greedy whites. By what authority does the Minister of the Interior throw down these fortifications and leave him a victim to the invader? Why does not the member for Saskatoon, instead of quoting what some adjoining lands formerly sold for, answer the real charge against the government? If there is one duty, if there is one office more sacred to the government of any country than another, it is the office and the duty of guarding the law as it is written. The government's first duty is to administer the law and to see that it is obeyed. How do they expect the people to hold sacred the law or to obey it if they themselves are the first to violate it? Of what value is it that this parliament, as the representative of the people, should construct a fortification guarding these helpless people from speculators, if the minister can throw it down at his will, or at the behest of his friends the speculators? Why are we sitting here to-night to legislate if he, at his will, can violate our legislation? I cannot see any authority, I cannot conceive that there could be any legal authority, for the grant that was made.

The law of the country in the Indian Act is the only reference to Indians as far as I know, and that law distinctly says that the Indian cannot be granted land. The Indian is described as a person who is not only incompetent to hold land, but he is incompetent to buy chattels. Section after section of the Act forbids individuals to buy chattels from Indians, and to sell them chattels except under the supervision of the minister. A man is not allowed to go to an Indian, and sell him two chickens unless he has authority by license from the Governor in Council. By what authority then does the minister not only permit men to sell them oxen, and hay and everything that they imagine an Indian wants, but also to go to them and dicker with them, drunk or sober, for their land? Surely no justification has been made out. No justification can be made out. There can be no exigencies, there can be no difficulty, there can be no commercial advantage sufficiently pressing to warrant the minister in violating this law. I would like, before this debate ends, that that point should be answered. I would like to see the authority under any statute of this country for granting lands to unenfranchised Indians. If there is such authority the Indian Act is a nullity. What was the result of all this? What was the result of leaving these Indians the prey of speculators? There was a man by the name of Tracy, who got hundreds and thousands of acres of these lands and he paid on the average of $5.55 an acre. I have figured up most of the return brought down by the minister, and indeed it is not complete, as to these sales, and the figures show that the average was $5.55 an acre. And how did Tracy pay them? He paid them by selling them their own hay, he

paid them by selling them cattle at fabulous prices, and everything else on an equal scale, contrary to the provisions of the Indian Act, and the minister has absolutely refused to interfere, and protect them or prosecute Tracy for his violation of the Act. The minister, first of all, asked the Indian agent or inspector, Mr. Swinford, to look into this matter, and what did Swinford do? I do not know what his instructions, at least his verbal instructions, were, but I want to point out one thing. Mr. Swinford reported that all this charge about Tracy palming off goods on the Indians instead of paying them their money, was false. He says in his report, and let the Minister of the Interior note this, that over 80 per cent of the moneys that Tracy agreed to pay were paid in cash, or orders on stores. I thought that was rather strange looking at Tracy's accounts which are fearfully and wonderfully made. I figured them up, and they certainly show no such result as that which Mr. Swinford states. They show that instead of Tracy paying them 80 per cent in money and orders on stores he paid them less than 30 per cent. He paid them 72 per cent of their money in hay, and such like. Only 28 per cent of that $5 per acre ever reached the Indian at all in the form of cash or orders. That is the accuracy with which Mr. Swinford reported. That is a remarkable thing, but what more do we find? What was the condition of the Indian under this treaty? I find one case of Mr. Tracy's dealings which I can give the minister. There was a poor fellow who had sold Tracy land for which he was to receive $420. Tracy sold him his own hay, etc., until he made up $260 of the $420. Then he gave him $46 in cash, and orders on stores. The Indian proceeded to get drunk on the $46, and then Tracy paid $58.40, and $96, and all for plate glass windows and police court fines on account of the drunk that the Indian got out of the $46. That is only a sample. Moneys that these Indians have been paid have been paid by Tracy, and other speculators in the police court fines for plate glass windows, and other damage that these men have caused while under the influence of liquor. Could anything within the conception of the minister justify the leaving of these Indians to treatment of that sort? Let the minister look through Tracy's accounts and see what the fruits of his policy are, and by its fruits ye shall know it. The minister will know whether they are bitter or sweet. Let him see what Tracy's accounts will bring forth. Why, it is impossible to imagine that that man meant to deal honestly with these people. What did Tracy want with thousands of tons of hay? This was hay that he got these Indians to put up, and in the fall he told them that he did not need it, and he paid them with their own hay. Then the minister says: I will send up my law clerk to see if everything is all right. Mr. Williams goes up, and he conceives that he has done his whole duty if he sees that Tracy has kept his books rightly. He conceives, that so long as he finds that Tracy's and Funk's books show that the Indian was paid, it is all well and good. It does not matter how he was paid, it does not matter whether the mark on the back of the cheque is the Indian's or not; so long as the books are all right everything is O.K., and the government is satisfied.

Mr. OLIVER. Might I ask the hon. gentleman if he is quoting from Mr. Williams' report in his last remark?

Mr. MEIGHEN. No, I was just about to quote. If the minister is in a hurry I will start now. I am giving the only conclusion I can gather from Mr. Williams' report.

Mr. OLIVER. It was a conclusion which my hon. friend drew; he was not quoting?

Mr. MEIGHEN. I did not purport to be quoting, but I am going to quote. Here is the way the Minister of the Interior conceives it to be proper to investigate a matter of this sort:

> Janet Child sold 16 acres to G. Tracy for $80. Claims $10 balance on this. Says she was informed that she had conveyed 33 acres. Found that she had been paid $80 and had conveyed 33 acres. We secured for her a further sum of $105 for the land unintentionally conveyed, and with which she was perfectly satisfied.

Here is a poor squaw who thought she sold 16 acres to Tracy for $80, and after investigation it was found that she sold 33 acres, and the Indian Department thinks it has done full justice when it has got $105 more for her than had been paid by Tracy, and thinks that Tracy had been dealing in perfect honesty. Surely the minister can see more in it than that.

Mr. OLIVER. May I ask my hon. friend what he sees in it more than that?

Mr. MEIGHEN. I can tell the minister what I see in it. I see in it evidence, I think, plain enough for me, that Tracy took the deed in blank from this poor woman and filled it in to suit himself. I cannot tell what was in Tracy's mind any more than I can tell what is in the minister's mind. But, I am not, unlike him, absolutely blind to the evidence:

> Kappow Esqua, absent from the reserve, ascertained that he sold 32 acres for $80 to G. H. Funk.

That was $2.50 an acre. And there ends the report. And as soon as Mr. Williams found that out he did not think he should go and see this Indian at all wherever he was, but he reported, and that ended the

whole transaction. Two and a half dollars an acre for prime land in Manitoba. Then, there is Mrs. James Fiddler, and this squaw sold 16·22 acres to the Northwest Land Company—that is Mr. Frank, and did not know what price, and did not know whether paid in full. But, Mr. Williams says, and here his heart must have leaped with joy: The purchaser's books show 16 acres bought for $80 and that she had been paid over $45 in addition. What a state of affairs. He is a very good book-keeper this man, and the minister conceives that his investigation is complete, and that all has been honest when his official investigates this far enough to know that the woman sold and did not know what on earth she sold for and did not know whether she had been paid or not, but the purchaser's book shows she had been overpaid $45. That, the minister thinks, shows that everything was honest and upright with these Indians. Then we have the record:

William Henderson, unable to see him, books of the purchaser, the Northwest Land Company show 68 acres bought for $220.

And there the investigation ended so far as poor William is concerned. This poor Indian got $3 an acre for prime land in Manitoba. And the minister and his followers think they answer that by telling us that some swamp or low alkali land, not so very far away from this, was sold for $9 an acre. William Henderson apparently has a brother, and the report shows that this brother claims he sold 41 acres at $5 per acre now and more when the patent came, and there was no satisfactory corroboration the report says. Poor Indian; he had no satisfactory corroboration, although he claimed that he was to get $5 an acre when he signed something he knew not what, and the balance, he did not know what, when the patent came. That was the extent of the investigation into this poor Indian's treatment. Oh, no, Mr. Williams went a step further; he looked up the books and he found that the purchaser had a receipt from Andersons showing that the purchase price was $4 an acre all told, so that as soon as Investigator Williams found out that the poor Indian thought he was getting $5 down and the balance, he knew not what, when the patent issued, and that the purchaser's books showed that he sold for $4 all told, there the investigation closed. The report simply teems with cases of that sort. Here is the case of Mrs. David Prince, and it looks as though the squaws were not so business-like as the Indians and did not fare so well. This investigator was unable to see Mrs. David Prince, but he says that the books of the purchaser, George Funk, show 32 acres bought for $100. That ended it, neither in this case, nor in any other. did these investigators think it was any business of theirs to take a look at the land and see whether it was worth $1.00 or $200 an acre. They did not care whether the land was sold for one-twentieth of its value or not, but they were deeply concerned to look at the books of the purchaser and take their statement for the facts. There was a man by the name of William Pahkoo, and he sold 74 acres to the Northwest Land Company for $460. He must have felt good. He claims he was to get at the time of sale $5 per acre and the balance when the department valued the land, but Mr. Williams had no corroboration, and he says he found acknowledgment for the above amount in full for the land. And the commissioner, because there was no corroboration, drops the whole thing, and he deems the books of the purchaser sufficient evidence. Is that an investigation? Let me suggest to the minister that whether it is right or whether it is not for the Department of Justice in Manitoba to investigate this case or any other case that has been suggested, the very same condition of affairs would confront them as confronted Mr. Williams—the poor Indian would be staked on the one hand and the speculator on the other, and where would be the Indian and where would be the prosecution? Let us take the case of William Starr. He sold 10 acres to William Rayner for $45, and 69 acres to George Tracy for $490. And the commissioner finds that there is a counter claim of $482, and that Starr disputed $64 of this, and he found that Starr's contention was justified, but even so, that he was overpaid. Now, Mr. Speaker, here is a transaction that the minister deems perfectly satisfactory, and still Mr. Williams found that this honest man, Mr. Tracy, had a false counter claim against him of $64, so false that even the Indian himself was believed, but because the purchaser's books showed him overpaid the whole thing is dropped. Such an investigation. Then, Mrs. Julia Stevenson sold 16 acres to W. D. Harper for $40, claimed that no price at all was mentioned and that she was entitled to $10 more, and that the purchaser had deeds signed and witnessed by her son. That is how they contrived to get that deed. They got the squaw to sign the deed and the Indian to witness it, and everything was all right. Then we have this report:

Consideration, $40. Has now paid $10 more to satisfy this old woman, and assumes a charge of $12 for improvement against the lot.

Fancy these poor people not knowing what they sold, but in case of dispute, taking a mere pittance from the purchaser; and these are the people whom the minister says are as competent to deal with land as are the members of this House. And these are the poor people that

the minister left complacently to their fate and literally threw into the jaws of the speculator. George Sanderson sold 98 acres, a nice sized farm, to George H. Funk for $500, and the report says he had no complaint at all, he also says that he sold 16 acres to a brother-in-law. Then there was the case of Jessie Sanderson, and the commissioner says he was unable to see her, but the books of the purchaser, the Northwest Land Company, showed that 16 acres were bought for $50, or about $3 an acre. And there was no investigation as to whether that land was worth $1 an acre or $50 an acre, but they could not see this poor squaw, and that was all they did about it. In the case of James Settee, he was absent from the reserve, but the report says that the books of the purchaser, the Northwest Land Company, showed 131·60 acres bought for $400, or about $3 an acre. Just imagine, Mr. Speaker, $3 an acre for prime farm land 25 miles from Winnipeg. It is all very well for the hon. member for Provencher, or for the Minister of the Interior, to talk to parties in this House who do not know anything about values of western lands; but those of us who have lived there are not children. Does the Minitser of the Interior imagine for a moment that land within 25 miles of the city of Winnipeg, on the line of an electric railway, and admittedly good land —not sand, not swamp, not alkali, not even scrub—is worth only $3 an acre, or even five times $3—nay, seven times $3 an acre? There is no land in Manitoba that can be placed in that position, and the Minister of the Interior knows it as well as I do. Tell the people of Selkirk or the people of Winnipeg that good land, well situated on the river bank, is worth only $20 an acre even. It would be ridiculously cheap at $20 an acre; it would be cheap at $30 an acre. I challenge any member from western Canada to say that that statement is not true.

Mr. OLIVER. The hon. member is asking for opinions, and I would say that it is absolutely untrue.

Mr. MEIGHEN. Unfortunately the minister is in such a position that he must make statements that I do not think he would make elsewhere, and on other occasions.

Mr. HUGHES. May I ask what is the price of good land, the same distance from Edmonton that this is from Winnipeg? I do not think it would be less than $40 an acre.

Mr. OLIVER. I do not think that has anything to do with the question. The price of land depends on the quality and situation, but it does not depend on quality or situation alone.

Mr. MEIGHEN. The minister will not say that where the quality is first-class, and the situation unsurpassed, land is sold at $3 an acre, without fraud. It is perfectly absurd. I take these instances from the reports of his own officials. Here is another: 'Alexander Slater; absent from reserve; sold 16 acres to G. H. Fox (evidently a mistake for Funk) for $50'. Three dollars an acre again, and he was absent from the reserve. 'Thomas Stevenson sold 92 acres to G. H. Funk for $404. Claims he was to get $5 per acre; found receipt for the price of 56 acres to be $4 per acre, and for 36 acres at $5 per acre, and balance still due of $10'. It is very strange that the Indian would sign a receipt for $4 an acre, when he was under the impression that he was to get $5 an acre for everything he had. 'Thomas Spence sold 64 acres to the Northwest Land Company for $224', or a little over $3 an acre. I might read more, but I will stop with this instance—they are all pretty much the same. In some cases, as the minister said, very few, however, the price went as high as $15 an acre; but I do not hesitate for a moment to say, on my responsibility as a man of common sense, and as a member of this House, that there was not a single parcel of that land sold by those Indians for anything like half its real value; and this sale, at the highest price that can be picked out from that return, is a sale so ridiculous that fraud is depicted on its very face. 'Jacob Reslow sold 18 acres to the Northwest Land Company; claims valuation to be made when patent came. He received $50 only. Purchaser says price was $4 per acre. Found $45 still due. Sold 28 acres to F. Heap, the price to be fixed when patent came. Got $84. Found no corroboration, and signed agreement for $3 per acre.'

That is a nice way to sell land; and here is a law clerk, a man who has been a reputable lawyer, according to the Minister of the Interior, and whose character has been in no way impaired by association with his department, a man who goes out, and reports that a sale was made of 28 acres, and that the price was to be fixed when the patent issued. Did ever man hear in the history of law a sale of that sort? The Indian got $84, but unfortunately for him, the report goes on to say, that he had no corroboration, and he signed an agreement for $3 an acre when it was produced. The Indian thought he had made a very discreet sale of his homestead at a price which neither he nor the purchaser knew anything about at the time, but which was to be fixed by Divine Providence when the patent issued, and actually signed an agreement for $3 an acre. These are the fruits of the course deliberately adopted by this department, with the result of making the Indians drunk, and the

speculators rich. These are the fruits of the course they adopted, and in regard to which they put between themselves, and harm the robes of Chief Justice Howell.

There is certainly an important issue at stake in this matter. If this House votes nay to the resolution of the hon. member for Selkirk, it votes approval of that manner of treating the wards of this country. If this House votes nay to that resolution, it votes that the laws of this country can be tossed to and fro at will by any department of this government. The manhood of this country is at stake. Will the manhood of this country, as represented in this House, vote approval of conduct on the part of this government, which consists in their fleeing from their responsibility to the wards of this country, which is the most sacred responsibility resting upon them as a government.

Hon. A. B. AYLESWORTH (Minister of Justice). I should not think of intervening in this debate but for one circumstance, and I do not intend to take any part in the discussion of the principal question which is before the House for consideration. But a remark was made by the hon. member for West Elgin (Mr. Crothers) a short time ago which I think ought not to pass at any time in this House without having attention called to it. Speaking of the Chief Justice of Manitoba, the hon. gentleman said, I am told, that he had lived long enough to know that chief justiceships bestowed by this administration carried no guarantee against partisanship and no guaranty for wisdom, humanity or common every-day honesty. Now, I can quite understand any man in the heat of debate saying things which perhaps in his cooler moments he would not say, and saying things which he does not in reality believe or mean; but even making all allowance for the warmth of discussion over a party political question, I think my hon. friend, if he will do himself the justice of reflecting for a moment upon his own language, will recognize the propriety and the duty not merely of modifying it, but of unequivocally withdrawing it and apologizing for it. My hon. friend belongs to a profession, the members of which are often proud of saying that all of its members are honourable men; and at all events when a member of the legal profession has been distinguished by elevation to the bench, by being made the chief justice of his province, that circumstance alone, it seems to me, without regard to his previous political activities or sympathies, ought to afford some guaranty that he possesses the confidence and the respect of people who know him. The very fact that he has been placed in a judicial position ought to make him, to a certain extent at all events, immune from attack. I do not pretend that he should be free from criticism, but I think that he ought to be accorded the ordinary respect which men pay to each other and should not be accused, at any rate in the parliament of Canada, of lacking common every-day honesty.

Mr. CROTHERS. If my hon. friend will allow me, I did not make that observation at all with reference to Chief Justice Howell. It was a general observation. I said that I did not know Chief Justice Howell at all.

Mr. AYLESWORTH. I am afraid my hon. friend does not better the thing by that remark. I was only going to add that we have in the nine provinces of Canada something more than nine chief justices, because in some provinces they have a chief justice of the Superior Court, a chief justice of the High Court and also a chief justice of the Court of Appeals; and I think I am safe in saying that more than half that number of men who are adorning the Canadian bench are gentlemen who were appointed, not by the present government, but by the previous administration. And I ask my hon. friend, I ask every member of this House, whether on this side or the opposition, to think how he would feel if some one on this side, speaking of the chief justices appointed by the late administration, should use words identical with those which have fallen from the hon. member for West Elgin (Mr. Crothers) with regard to the chief justices selected by this administration. I would ask him to reflect for a moment on his own personal relations with the respected chief justice of Ontario, a chief justice appointed by this administration, and to say whether he means the language he used to apply to that gentleman. In the four years during which I have occupied the position of Minister of Justice, it has been my lot and responsibility to nominate four chief justices in this Dominion—the present chief justice of Nova Scotia, the present chief justice of New Brunswick, the present chief justice of Manitoba, and the present chief justice of Saskatchewan. And out of these four chief justices, three had all their sympathies and affiliations with the Conservative party before they became occupants of the bench.

Mr. CROTHERS. My hon. friend did not quite understand what I said. My remarks were not confined to the chief justices he has named. He has spoken of the four appointed since he became minister, but this government has existed since 1896, and I said that the appointment of chief justices did not necessarily carry with it certain qualities, and I have nothing to retract in that regard.

Some hon. MEMBERS. Shame.

House divided on amendment of Mr. Bradbury.

YEAS:

Messieurs.

Armstrong,
Arthurs,
Barker,
Best,
Blain,
Borden (Halifax),
Boyce,
Bradbury,
Bristol,
Burrell,
Campbell,
Cowan,
Crosby,
Crocket,
Crothers,
Currie (Simcoe),
Daniel,
Doherty,
Donnelly,
Edwards,
Elson,
Fraser,
Haggart (Winnipeg),
Henderson,
Herron,
Hughes,
Jameson,
Kidd,
Lennox,
Lortie,
McCall,
Magrath,
Meighen,
Middlebro,
Nantel,
Northrup,
Owen,
Paquet,
Porter,
Rhodes,
Roche,
Russell,
Schaffner,
Sharpe (Lisgar),
Sharpe (Ontario),
Sproule,
Stanfield,
Staples,
Taylor (Leeds),
Taylor (New Westminster),
Thoburn,
Thornton,
Wallace,
White (Renfrew),
Wilcox (Essex),
Wilson (Lennox & Addington),
Wright.—57.

NAYS

Messieurs.

Allard,
Allen,
Aylesworth,
Béland,
Bickerdike,
Borden (Sir Frederick),
Boyer,
Brown,
Bureau,
Carrier,
Carvell,
Cash,
Chew,
Chisholm (Antigonish),
Chisholm (Inverness),
Clark (Red Deer),
Clarke (Essex),
Congdon,
Conmee,
Currie (Prince Edward),
Demers,
Douglas,
Ecrément,
Emmerson,
Ethier,
Fielding,
Fisher,
Fortier,
Fowke,
Gauvreau,
Geoffrion,
Girard,
Gladu,
Graham,
Harty,
Hodgins,
King,
Knowles,
Kyte,
Lachance,
Lafortune,
Lanctot (Laprairie-Napierville),
Lanctot (Richelieu),
Laurier (Sir Wilfrid),
Lavergne,
Law,
LeBlanc,
Loggie,
Lovell,
MacNutt,
McCoig,
McColl,
McCraney,
McGiverin,
McIntyre,
McKenzie,
McLean (Huron),
McLean (Sunbury),
Marcile (Bagot),
Martin (Montreal, Ste. Mary's),
Martin (Regina),
Martin (Wellington),
Mayrand,
Meigs,
Michaud,
Miller,
Molloy,
Murphy,
Nesbitt,
Neely,
Oliver,
Papineau,
Pardee,
Parent,
Paterson,
Pickup,
Proulx,
Prowse,
Pugsley,
Rankin,
Richards,
Rivet,
Robb,
Ross (Middlesex),
Ross (Rimouski),
Roy (Montmagny),
Rutan,
Savoie,
Schell,
Sealey,
Seguin,
Smith (Middlesex),
Smith (Nanaimo),
Smith (Stormont),
Sperry,
Talbot,
Templeman,
Tobin,
Todd,
Tolmie,
Turcotte (Nicolet),
Turcotte (Quebec County),
Turriff,
Verville,
Warburton,
White (Victoria, Alta),
Wilson (Laval).—107.

PAIRS.

Messieurs

Ministerial.	Opposition.
Lemieux,	Haggart (Lanark),
Brodeur,	Maddin,
Sifton,	Worthington,
German,	Foster,
Low,	Smyth,
Stratton,	Gordon (Nipissing),
Macdonald,	Lewis,
Guthrie,	Stewart,
Gordon (Kent),	Osler,
Harris,	Beattie,
Devlin,	McCarthy.
Sinclair,	Monk,
Reid (Restigouche),	Broder,
Hunt,	Lancaster,
Black,	Chisholm (Huron),
Major,	Sexsmith,
McMillan,	Reid (Grenville),
Turgeon,	Lake,
Lapointe,	Ames,
Dubeau,	Clare,
Delisle,	Macdonell,
McAllister,	Perley,
Roy (Dorchester),	Forget,
Gervais,	Price,
Beauparlant,	Marshall,
Champagne,	Lalor,

Amendment negatived.

Motion agreed to and House went into Committee of Supply.

Public works—capital—new departmental buildings, Ottawa, $300,000.

Mr. PUGSLEY. Public buildings, chargeable to capital account, were all disposed of except the new departmental buildings which stood over at the request of the hon. member for North Toronto (Mr. Foster) who said that he desired me to prepare a statement showing the different buildings now being occupied, the rents which are being paid, the number of people who are being accommodated, and that I would also

produce a plan of the proposed new buildings. I had a statement made up and sent to the hon. member for North Toronto who I regret exceedingly is unable to be in his place by reason of illness. That statement, of course, is in his possession and I am not able to submit it to the committee. I have a summary of all the different buildings occupied and the rents which I should be glad to read for the information of the committee if they desire it. I have also a photograph showing the character in a general way of the new buildings. Of course it does not show the interior arrangement. That would not be possible, as we are at present laying out the building in large rooms with a view to having the rooms very much larger than those in the present departmental buildings and they will be divided up after very full consultation with the heads and deputy heads of the different departments. I have also a summary of the space occupied in the present departmental buildings.

Mr. S. SHARPE. I would suggest that the minister supplement that with the rentals in each case.

Mr. PUGSLEY. The hon. member would hardly ask for that information at this hour. The hon. member for North Toronto (Mr. Foster) asked for the information which has been prepared, and I caused my officials to go to a great deal of trouble to get this information. It took about two weeks. If my hon. friend who has just spoken had said he desired the rentals, I would have been glad to get them. It all appears in the public accounts, and as I said my officials took two weeks to prepare the information, a summary of which is now submitted to the House.

Mr. SPROULE. I thought all this information was specifically asked from the minister.

Mr. PUGSLEY. No, I had a careful note made at the time and we sent the detailed information to the hon. member for North Toronto, saying that we proposed to go on with the estimates the next day. The hon. member (Mr. Foster) wrote me thanking me for sending this information, but he said he was obliged to be absent and asked if I would let it stand over. But he gave me no intimation that he desired any further information. If I had been asked for a statement of the rentals, I would have been glad to furnish it.

Mr. SPROULE. I understood a question was put across the floor for this information. I do not know if a question was put on the order paper intended to bring out the same information, but at any rate that is information that several members on this side desire and would like to have. It is not enough to say that the information is in the Auditor General's Report, because that report contains thousands of pages, and even though you went over it for hours, still you might overlook some items relative to these buildings. The minister has in his department, clerks who could get the information and furnish it to the House. I suggest that if he is not prepared to furnish it now, he might get it ready and furnish it to us when some other estimates are going through.

Mr. PUGSLEY. I shall be glad to do so. It would have been only reasonable that, when the hon. member for North Toronto (Mr. Foster) requested me to furnish certain information, if he or any other hon. member wanted more information, he should have mentioned it at that time. But I do not find any fault with that. I will have one of the officials of my department get the information and submit it to the committee. I understand my hon. friend wants the names of all the lessors, together with the rents which are being paid, when the occupancy began, and the terms of the leases. I will get that information.

Mr. SPROULE. And also whether the government pay any taxes upon these buildings, because in the consideration of the lease that would be one of the elements.

Mr. S. SHARPE. I would also suggest that the minister prepare information as to any capital expenditure made on the buildings by reason of the terms of the lease.

Mr. PUGSLEY. I will furnish all the information mentioned.

Mr. SPROULE. Has there been a contract let for this new building?

Mr. PUGSLEY. No contract has yet been let. In due course tenders will be called for by public advertisement, probably some time during the early part of the summer. The estimated cost is something over $3,000,000 all complete.

Mr. SPROULE. I do not know whether my aesthetic taste with regard to the architectural design is defective, but it seems to me that the design of the geological survey building is rather that of an old country private castle than of a business building where a great many people are employed in various occupations. It seems to me that the geological building is defective in that respect. I would suppose that those who are charged with the responsibility of drawing up the plans for the new building would keep in view the fact that there are other buildings on these grounds, and that the design of the new building should be somewhat in harmony with those already erected. I do not think it adds to the favourable effect to have buildings of vari-

ous architectural designs standing in the same neighbourhood. I always thought that the Langevin block was defective in that respect, inasmuch as it was out of harmony with the parliament building and the east and west blocks.

Mr. PUGSLEY. It is curious how people's taste differ. I have heard some very good judges say that it would be a great mistake to have all the buildings of the same design, that there should be diversity of design as well as harmony. My own view is that this is an admirable design. Anybody who looks at it will see that a building erected upon that design will be exceedingly handsome.

Mr. LENNOX. What style of architecture?

Mr. PUGSLEY. I do not profess to be a judge of architecture, but I would say that it partakes of the Norman style.

Mr. CROCKET. By whom was the design prepared?

Mr. PUGSLEY. By Mr. Ewart, the chief architect of the department.

Mr. CROCKET. The minister says that $3,000,000 is the estimated cost of the building; does that include the furnishing as well?

Mr. PUGSLEY. That includes everything that could be fairly considered as a part of the building, heating, lighting, ventilation and so forth. Of course it would not include the furniture.

Mr. S. SHARPE. I suppose it is the intention to let the contract for heating and lighting, and everything of that kind, at the same time as the main building?

Mr. PUGSLEY. That is the intention.

Mr. SPROULE. Is it intended to make a crossing over the canal to enable persons to pass from these buildings to the new buildings on Sussex street?

Mr. PUGSLEY. We have been thinking of the question of erecting a bridge, but that need not be considered for a couple of years yet. I think it would be very convenient to have a bridge, not an ordinary highway bridge, but a graceful foot bridge thrown across which would answer all purposes.

Mr. BLAIN. Was it for these buildings that the government offered prizes for plans?

Mr. PUGSLEY. Yes.

Mr. BLAIN. Were the prizes paid?

Mr. PUGSLEY. Yes.

Mr. BLAIN. Are the plans the property of the government?

Mr. PUGSLEY. Yes.

Mr. BLAIN. To be used for what purpose?

Mr. PUGSLEY. We have not adopted the plans, as none of them seemed to be entirely suitable.

Mr. BLAIN. What were the prizes?

Mr. PUGSLEY. I think there were four prizes awarded, and I think they amounted to $15,000 altogether.

Mr. CROCKET. Were the prizes awarded, and none of the plans adopted?

Mr. PUGSLEY. Yes, because in the terms of the competition it was provided that there would be four prizes awarded to the four sets which met the approval of the board of experts, they being considered the best of those submitted, but it was distinctly specified that the department would not be bound to accept any of the plans.

Mr. BLAIN. What good purpose has been served?

Mr. PUGSLEY. It was supposed when the late minister, Mr. Hyman, decided to offer prizes for designs from Canadian architects that it would result in the submission of plans which would be approved, and accepted and upon which the building would be erected. No action had been taken upon the plans when I became minister, and after looking them over very carefully, and having others, in whose judgment I had confidence, look them over also with very great care, and after they were inspected by other gentlemen, because they were placed in the railway committee room where they were seen by a great many people, we came to the conclusion that none was satisfactory and we decided to have plans prepared by the chief architect of the department. It may be that the chief architect has taken certain ideas from these plans—as to that I am not aware, but the plans are the property of the department, and it was quite open to him to utilize any features that might commend themselves to him.

Mr. BLAIN. Does the minister expect that $3,000,000 will complete the building?

Mr. PUGSLEY. A little over $3,000,000. The chief architect expects that will complete the building, and provide heating, elevators, lighting and plumbing.

Mr. BLAIN. What about the inspector and the clerk of works?

Mr. PUGSLEY. He has not been appointed yet.

Mr. EDWARDS. Is the land included?

Mr. PUGSLEY. No, that is outside of the land.

Mr. EDWARDS. How much did the land cost?

Mr. PUGSLEY. In the vicinity of $600,000.

Mr. BLAIN. When will the work be commenced?

Mr. PUGSLEY. We hope to call for tenders during the coming summer.

Mr. CROCKET. When does the minister expect to have the building completed?

Mr. PUGSLEY. I should think in four or five years at the very inside.

Mr. BLAIN. What kind of a man will be employed as inspector of this work?

Mr. PUGSLEY. We will employ none, but first-class men. Of course, we have our own staff. We will have an expert upon each class of work, and we will employ the members of our own staff.

Mr. CROCKET. Did the experts upon these plans make any report to the department as to their suitability?

Mr. PUGSLEY. No they simply awarded the prizes.

Mr. CROCKET. Without determining whether the plans would be suitable for the purpose for which the building was designed?

Mr. PUGSLEY. No.

Mr. CROCKET. And the department held that none of the plans was suitable?

Mr. PUGSLEY. Yes.

Mr. CROCKET. After paying $15,000 for them?

Mr. SPROULE. What is the superficial area of this building?

Mr. PUGSLEY. As near as may be my deputy informs me that it is 100,000 square feet on each floor.

Mr. SPROULE. How many floors?

Mr. PUGSLEY. There are six stories facing Major Hill Park and seven facing upon Sussex street.

Mr. CROCKET. Is the Supreme Court to be placed in the building?

Mr. PUGSLEY. No.

Mr. CROCKET. I thought I saw that in the press the other day. It is to be entirely a departmental building?

Mr. PUGSLEY. Yes.

Mr. LENNOX. What is the provision, if any, in reference to the Supreme Court?

Mr. PUGSLEY. There is no provision.

Mr. LENNOX. It was intended when this matter was broached first, to provide quarters for the Supreme Court.

Mr. EDWARDS

Mr. PUGSLEY. That was by a separate building entirely.

Mr. LENNOX. It may have been a separate building, but I understood that one of the main objects that the government had in view was to supply proper accommodation for the Supreme Court. I do not think it would be desirable to have it in the same building. I think it would be undesirable, but on the other hand I had expected that this government would have determined upon something in reference to proper accommodation for the Supreme Court. I am not in favour of extravagant expenditure, but I think that the accommodation of the Supreme Court is not at all in accordance with the position that Canada occupies. I think it is rather a disgrace to Canada to have the Supreme Court housed as it is down at foot of the hill. I do not know what the minister can say about it, or whether he proposes soon to provide accommodation for the Supreme Court, and, if so, where?

Mr. PUGSLEY. I may say that it certainly would not be at all desirable to have the Supreme Court housed in the departmental building. The matter of erecting a palace of justice, or supreme court building has not been considered, certainly not since I have been minister. I have understood, however, that the judges would prefer the present location. I think that in all probability, in the course of a few years, the question will necessarily be taken up of erecting a suitable building, which, as suggested by my hon. friend would be a credit to Canada, and I would think that it would be desirable that in that building accommodation should be furnished, not only for the Supreme Court of Canada, but also for the Exchequer Court and for the Board of Railway Commissioners, which is one of the most important courts in the country. That, of course, would require quite a large building, but at the present time the matter is not under consideration.

Mr. LENNOX. Will the new building cover all the land on Sussex street?

Mr. PUGSLEY. No, we will have room for quite an extension to this building in the future.

Mr. S. SHARPE. Is it intended that this will do away with the renting of buildings by the government for offices?

Mr. PUGSLEY. I cannot speak for the future, but if the new buildings were erected at the present time, it would not be necessary for us to rent buildings in the city.

Mr. LENNOX. I have a communication from the mayor of Barrie in which he points out that the post office square in the town, which is partly owned by the

government, is in a very bad condition, and personally I know that to be the case. I will forward the letter to the minister and ask him to deal with the question before parliament prorogues. Only a small expenditure will be required.

Mr. PUGSLEY. How much?

Mr. LENNOX. The amount mentioned in the letter is $500, and the mayor has many good qualifications, including that of being a supporter of this goverment. You will also notice that he is very moderate in his demands, as you would expect a good Liberal ought to be, and he states the town would be prepared to bear a portion of the expense. This square is opposite the railway station, and in its present condition, it leaves a bad impression on visitors as to the good management of the town of Barrie. There has been a stone wall built there, and I think that ought to be removed. I would suggest to the minister that he should send an official to make a report, so that we may know what is best to be done. The mayor points out that the time is now suitable for doing the work, and I would ask the minister to put the government property there in reasonably proper condition, and at an early date.

Mr. PUGSLEY. If my hon. friend will send me the letter, I will direct an examination and report to be made. As the amount does not exceed $500, the work can be done out of the general vote.

Mr. LENNOX. I will send the letter to the department and speak personally about the matter to the minister.

Mr. BLAIN. Is there any danger that my hon. friend (Mr. Lennox) will be put on the patronage list?

Mr. LENNOX. I will be able to assume the burden of any patronage that will be visited on me by this government.

Chesley—public building, $11,250.

Mr. SPROULE. This is quite an important place with a population of between 1,700 and 2,000.

Mr. BLAIN. In what county is it?

Mr. PUGSLEY. In South Bruce, which is represented by one of our good Conservative friends.

Mr. BLAIN. I thought it was Mr. Tolmie?

Mr. PUGSLEY. No, Mr. Donnelly.

Mr. EDWARDS. What will be the total cost of this building?

Mr. PUGSLEY. Our hope is that it will not cost more than $15,000.

Mr. BLAIN. Has the site been purchased?

Mr. PUGSLEY. It was purchased in February, 1909, 104 square feet, at a cost of $3,800.

Mr. S. SHARPE. Any buildings on it?

Mr. PUGSLEY. Not that I am aware of.

Dresden—public building, $15,000.

Mr. PUGSLEY. The site has been purchased for the sum of $2,000, a lot having 60 feet on one street, and 103 feet on the other. The building is for a post office and custom house.

Dundas—public building, $15,000.

Mr. PUGSLEY. The site has been purchased for the sum of $5,000. It consists of five lots having a total frontage of 125 feet by a depth of 100 feet. This building is to be for a post office and custom house. We are endeavouring to secure these public buildings, in towns having a population not exceeding 3,000, at a cost not exceeding from $15,000 to $20,000. We hope to get the cost down to $15,000 including the land, in some cases down to $12,000.

Mr. S. SHARPE. When did you adopt that policy?

Mr. PUGSLEY. Quite lately. I have been urging it on the chief architect.

Elora—public building, $5,000.

Mr. PUGSLEY. A site has been purchased for $380. Elora has a population of about 1,500. We expect to get this building, including the site for $10,000, or $12,000.

Mr. S. SHARPE. There seems to be a great discrepancy in the prices paid for lots.

Mr. PUGSLEY. Everything depends on local conditions.

Mr. HENDERSON. What special reasons were assigned for erecting a public building in Elora, when other places of greater population throughout the country are not equally favoured?

Mr. PUGSLEY. There has been for a considerable time, as it was represented to us, a demand on the part of the people of Elora for a public building. They are also anxious to have the town made a customs outport, and have asked for accommodation for a customs official there. I do not know that I can say anything further than this, that Elora is quite a thriving town. Its population is not as large as some others which have not public buildings as yet.

Mr. HENDERSON. I live in a town that has a considerably larger population, and I have no doubt that if it were made a customs outport the collections there would be five times, perhaps ten times, as much as they would be in Elora; yet

we have not a building there, either for a post office, or a custom house. I would like to know what grounds the people of Elora expect that the Minister of Customs will make it an outport. I do not know of any industrial institutions there that would require imports of any great extent. I understand that the policy of the Minister of Customs is to open outports, not for the convenience of the people, but for the collection of revenue. I do not see why the minister should erect a building for an outport at Elora, when his colleague does not approve of opening more customs outports. There have been very few customs ports opened by the present government. When the late government went out of power, I think there were only 45 customs ports in Ontario. Now there are 52, and probably seven or eight of the increases are caused by raising outports to ports. I am satisfied that the policy of the government, and the present Minister of Customs, at any rate, is not to increase the number of ports, or the number of outports, because the government can get the revenue just as well with the present number as if they had twice as many. I understand that we in Canada, have as many custom houses as the whole of the United States.

Mr. PUGSLEY. We are ahead of them in many ways.

Mr. HENDERSON. Yes, in extravagance particularly. The cities of New York and Brooklyn combined have only one customs port, and through that port 70 per cent of the entire revenue of the United States is collected.

Mr. PUGSLEY. How does my hon. friend know that about New York?

Mr. HENDERSON. From an officer of this governement who knows all about it. I got the information from him recently, and I believe it to be correct. 70 per cent of the entire customs revenue of the United States is collected from the port of New York and Brooklyn combined, and the United States have practically no greater number of customs houses than we in Canada. We have in Ontario at present 52 ports, and about 89 outports, and I am satisfied that the policy of the Minister of Customs is not increase the number of outports. If the minister wants to establish outports for the convenience of the people, I am satisfied he can find other towns where a great deal more business is done than is done in the town of Elora. I am not saying anything against Elora having a public building for a post office or a customs house, but I simply rise to ascertain what special reasons can be assigned why this town should be favoured as against larger towns in which very much larger business is carried on. We have learned from the hon. minister that this is due to the continued importunities of the citizens. They have persistently asked for this and finally got it. Now we know how to get the attention and favour of the minister. The best way is to keep on asking, and by and by he will get tired of refusing, and will provide the accommodation asked for.

Mr. SPROULE. More than that is required.

Mr. HENDERSON. That I do not know. I take the minister at his word, and the only reason he has given practically is that these people had persistently asked for it. In future hon. members will know just how to proceed when they want to get a public building. However, I do not want to be placed on the patronage list at present. It is a little dangerous. But I have got all the information I wanted and know how to proceed.

Mr. PUGSLEY. If my hon. friend does not desire that any public buildings should be erected in his county, it would be unkindness for him to press any such improvement on his people. I would be very loath to do such a thing. I want to say with regard to Elora——

Mr. S. SHARPE. How far is it from Guelph?

Mr. HENDERSON. About twelve miles.

Mr. PUGSLEY. A little more than that. There are two railways which come to Elora, the Grand Trunk railway, and the Canadian Pacific railway, and there has been very urgent demand from the people for an official of the customs to go there from Guelph once or twice a week for the purpose of receiving entries. That would only mean an extra room in the building, and I think that would be a great convenience. It must be a hardship for merchants, who receive goods by rail, to be obliged to go fifteen or twenty miles to another town to make their entries. Elora is an important place, there are saw mills, and grist mills there, two branches of banks, some thirty stores, a carriage, sash and door factory, and a factory of agricultural implements.

Mr. EDWARDS. What is the postal revenue?

Mr. PUGSLEY. In 1889 it was $3,275, the money orders issued were $16,501, and the money orders paid $20,539.

Mr. LENNOX. What is the population?

Mr. PUGSLEY. In 1901 it was nearly 1,200.

Mr. S. SHARPE. It would be less now I suppose. The small towns are going back.

Mr. PUGSLEY. Not necessarily, only those which have lost heart and hope, and

Elora is not one of them. It is a progressive place, making headway.

Mr. RUSSELL. Would this mean the employ of extra officials?

Mr. PUGSLEY. There would be a caretaker of course.

Mr. RUSSELL. Have they a postmaster?

Mr. PUGSLEY. Yes.

Mr. RUSSELL. The same postmaster would do the work?

Mr. PUGSLEY. Yes. The idea would be to have an official from Guelph visit there once a week.

Mr. SPROULE. The hon. minister has said that it would be a hardship for importers to go twelve miles to Guelph. I live where there are importers who have to go forty-five miles to have their entries passed, and there has been no move yet to erect a public building in that town, which is a much larger place than Elora.

Mr. PUGSLEY. Does my hon. friend not think it would be reasonable to have a customs official go there once a week?

Mr. SPROULE. Yes, but we have never been able to press the minister with sufficiently strong arguments to induce him to consider it.

Mr. HENDERSON. I want to remind the minister that when he made the statement that I did not want any public building in my town and he was not going to press one upon me, let me tell him that I made no such statement.

Mr. PUGSLEY. My hon. friend said he did not want to be on the patronage list.

Mr. HENDERSON. No, I am one of those who believe that when a public building is necessary the government should erect it. If they thought a public building was necessary in the town of Milton for a post office, it would be the duty of the government to erect one there; and the fact that they have not done so satisfies me that they do not consider it necessary. In my town I have no doubt there is ten to twenty times as much duty collected in a year as in Elora. One firm employing a large number of hands and using a lot of material which has to pass customs, has to either send a representative or communicate with Guelph every day, and the manager told me he would be glad to pay $500 towards the salay of a customs officer if he could have one stationed in Acton.

Mr. PUGSLEY. How far is that from Guelph?

Mr. HENDERSON. About 15 miles.

Mr. PUGSLEY. Does not my hon. friend think it would be reasonable to have an officer there?

Mr. HENDERSON. I think it would be.

Mr. PUGSLEY. Then, would it not be reasonable to go to Elora as well?

Mr. HENDERSON. It is not the policy of the government to open these ports for the public convenience, but for the collection of revenue.

Mr. PUGSLEY. I thought it was for the convenience of the people.

Mr. HENDERSON The minister is behind the times. The primary object of customs houses is to collect revenue. The policy of the government is a tariff for revenue only, not for the convenience of the people. If the revenue can be collected with fewer ports, the minister will not open new ports, even although it might be a greater convenience to the public. I am not going to press to-night for a custom house in Acton or in Milton, because I have no idea that if I stayed all night it would be obtained.

Mr. PUGSLEY. My hon. friend will, I am sure, agree that it would be a very desirable thing if they succeed in getting it at Elora.

Mr. HENDERSON. I certainly do, and would be delighted. But either of these towns is larger than Elora, and I am sure one of them would furnish the government with 10 times as much revenue as would be furnished by Elora in a year. Apparently a building is to be obtained by persistent appeals to the minister. My idea would be rather to leave such matters to the intelligence and good judgment of the minister. I do not want the minister to think that because I am not asking for a public building I do not want one.

Mr. TURRIFF. I can assure the hon. gentleman that we on this side do not fare any better as regards custom houses than he has done, we do not get them any more than he does. I have several times endeavoured to get one or two custom offices opened in my constituency at places from 50 to 100 miles away from existing custom houses, and have not been able to do so, although there is considerable business.

Fergus—public building, $5,000.

Mr. BLAIN. Is there any correspondence with respect to the purchase of the site?

Mr. PUGSLEY. It was purchased from James Watt for $700. It is a large lot, 70 x 132 feet.

Mr. BLAIN. I have here a clipping from a newspaper, reading as follows:

Fergus Post Office—Liberals hold a meeting to decide on the site.

A public meeting of local Liberals was held last night for the purpose of recommending to the government a site for the proposed post office. Four sites were decided on. The final vote gave the Murray property a majority of six over the Watt property.

Mr. PUGSLEY. The vote gave a majority of six for the Murray property over the Watt property, but the government bought the property from Mr. Watt, who is a Conservative, although it was not approved at the meeting. The Murray site would have cost $3,000, whereas we bought this site from a Conservative for $700. We thought it was in the public interest. It shows how we do our business on business principles.

Mr. BLAIN. Would the minister bring down the correspondence between the people in this town and the department with respect to the purchase of this site and the proposed building as well?

Mr. PUGSLEY. If there is any I will be very glad to bring it down.

Mr. HENDERSON. How far is Fergus from Elora?

Mr. PUGSLEY. I cannot say. They are two separate and distinct towns in the county of South Wellington.

Mr. HENDERSON. Is it the intention to provide for a customs house in Fergus as well as in Elora?

Mr. PUGSLEY. No. We are not urged to provide accommodation for customs in Fergus. The Fergus building is to cost between $10,000 and $12,000.

Mr. HENDERSON. I am glad to hear the minister speak about erecting cheaper buildings in small towns, because unless a policy of that kind is adopted, we can never hope to get public buildings in towns ranging from 1,500 up to 2,500 of a population. Years ago I commended that policy to the Hon. Mr. Tarte, when he was Minister of Public Works, and he did undertake to carry that policy into effect. He started with the town of Clinton, with the idea of erecting a building for a post office that would cost under $10,000. Building was cheaper in those days than it is at the present time. But I was informed, I think by the member of the county at that time, Mr. Holmes, that the chief architect told him that they would not draw plans for a building to cost less than $10,000. Mr. Tarte attempted to get a cheaper building, and I remember that before it was completed the cost went up to $15,000. Now, the minister will require to exercise a great deal of care, otherwise this $12,000 will likely reach $20,000 before the building is completed. His officers will require to keep a close watch, and if they do so, I think the cost can be kept down. But there is a danger that the officers of the government will give greater latitude, and that the whole purpose of the minister will fail. His purpose is a good one, I approve of it. It is only by erecting cheaper buildings that we can hope to have more of them. A good building to-day can be erected no doubt for $15,000 as a post office; yes, and for less, giving ample accommodation, for any town the size of Elora and Fergus, with all the fittings required. The minister, in answer to the hon. member for East Toronto, stated that in Elora an additional official would be required as a caretaker. I do not think that should be the policy of the minister. The postmaster, I think, ought to be responsible for the care of that building. In erecting a building the minister should provide a residence for the postmaster as well as the post office. Let the postmaster live in the same building and be the caretaker of the building, and thereby save considerable expense. When Mr. Tarte decided to erect the building in Clinton I understood that that was the policy, that he was going to make it a residence for the postmaster as well as a post office. That is a policy the present minister might adopt with a great deal of advantage. The use of the building as a residence would be ample compensation for looking after it.

Mr. EDWARDS. How many post office officials will be required in Fergus, and how many in Elora?

Mr. PUGSLEY. I do not have that information, because the postmaster at present is paid on the revenue basis, by a percentage of the receipts, and if he has an assistant, that assistant would be paid by himself, and not by the department. The only additional officer that will be required here is the caretaker. Of course there is a good deal to be said in favour of the policy advocated by the hon. member for Halton (Mr. Henderson), but there is a good deal to be said the other way. If the policy were generally adopted of erecting post offices in such a manner as to provide a residence for the postmaster, it would mean a good deal of additional expense. The postmaster is quite an important man in a town, and he would want a good deal better residence than would be suitable for the caretaker. It would mean having larger rooms, and a greater number. Our experience has not been that providing a residence for a postmaster in a public building has resulted in a saving to the public.

Mr. EDWARDS. What is the population of Fergus?

Mr. PUGSLEY. The population of Fergus in 1901 was 1,396. I presume it has considerably increased since then.

Mr. EDWARDS. I am not going to enter any strong objection to the passing of this item. But I wish to say that there are many places throughout the country, with a population almost as great as these two towns, where the post office is in a part of the residence of the postmaster himself, and where the revenue runs from $700 up to $1,000 or over. Now, I do not think it is fair to expend $10,000, $15,000, $20,000 in erecting post offices in comparatively small villages such as these, while there are a great many rural sections where the people have a mail service only twice or three times a week, or perhaps where they have no service at all, and have to go several miles for their mail. I think there is too great a tendency to erect buildings, and expend money in villages and towns, that these places are getting more than their share, and I think more of the public money should go to improve postal facilities in rural districts.

Some resolutions reported.

Mr. FIELDING moved the adjournment of the House.

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

Mr. FIELDING. My hon. friend the Minister of Agriculture (Mr. Fisher) will give, I believe, a general explanation of his estimates, and then the House will take them up in detail.

Motion agreed to, and House adjourned at 12.05 a.m., Friday.

HOUSE OF COMMONS.

FRIDAY, April 15, 1910.

The SPEAKER took the Chair at Eleven o'clock.

CANADA TEMPERANCE ACT AMENDMENT.

Hon. CHARLES MURPHY (Secretary of State) moved for leave to introduce Bill (No. 209) to amend the Canada Temperance Act. He said: The proposed amendment to the Canada Temeprance Act relates only to the province of British Columbia. Its purpose is to enable a vote to be taken in that province under the Canada Temperance Act in the same way as that a vote is taken under that Act in any other province. For instance, in the interpretation clause of the Canada Temperance Act, the word 'county' as respects the province of British Columbia is defined to mean an electoral district therein in accordance with the division of the province for the election of members for the House of Commons. The legislature of British Columbia has passed an Act called the Counties Definition Act by which the province is divided into counties for certain purposes and it is proposed that the definition of 'County' in the provincial Act shall be substituted for the present definition of 'County' in the Canada Temperance Act.

Then the Canada Temperance Act, as it stands at present, contains no definition of a city or city municipality and it is proposed to introduce into the Act as far as British Columbia is concerned the definition of city or city municipality, which appears in another provincial Act of British Columbia, called the Municipal Clauses Act.

Part 1 of the Canada Temperance Act sets out the proceedings for bringing part 2 of that Act into force. The commencement of these proceedings is to be by the deposit of a notice and petition in certain designated offices for public examination. So far as the province of British Columbia is concerned, those offices are restricted to the five electoral divisions that existed at the time the Canada Temperance Act was revised. There are at present seven electoral divisions in British Columbia represented by seven gentlemen in this House, and it is proposed to correct that anomaly by the amendment in question.

Motion agreed to, and Bill read the first time.

STRANGERS IN THE CORRIDORS OF PARLIAMENT.

On the orders of the day being called.

Mr. CROSBY. Mr. Speaker, I have received the very regrettable information that a coloured clergyman who has been seen in the corridors of this building for a few days past, was instructed by the sergeant-at-arms to leave the building, not to frequent the building. We have a large number of coloured people in eastern Canada, a very respectable class of people, and I would like to know if it is correct that this has been done, and if so who is responsible for it. I hope it has not been done, because it would be a great pity that such a course should be adopted when a man is conducting himself respectably and well as I have seen him. I have not the honour of his acquaintance, but I understand he is a clergyman of very high standing in the church.

Sir WILFRID LAURIER. I think it is unfortunate that my hon. friend has not given to the House any more particulars. The House would be loath to believe that the sergeant-at-arms, whose courtesy is well known, would be guilty of any act of discourtesy to any coloured gentleman or anybody else, and at the present time we

have to believe that everything was done regularly.

Mr. BARKER. The reverend gentleman referred to is a well known citizen of Hamilton, and a very respectable minister of the Methodist coloured church there. He told us yesterday that he had been soliciting subscriptions for his church as he has been doing in years past, and as a great many other people, ladies and gentlemen, have done, but that he was spoken to by the sergeant-at-arms yesterday in a way that he thought rather rude. He tells me that he at once told the sergeant-at-arms that if there was any objection to his soliciting he would stop at once, but that he claimed the right to be in any of the public portions of this building just the same as any other citizen. Then he says that a policeman was called and he was very much offended at that. I spoke to him and did my best to cool his anger. I told him I thought the better way would be to take no notice of it, and that I was quite sure the sergeant-at-arms could have no intention of offending him because he was coloured. He was very indignant and expressed himself very warmly, saying that though he was coloured he would not submit to be differently treated in any manner from any other person in the country. That is all I know about it, and that is I think all that can be ascertained about it. I would not for a moment intimate that the sergeant-at-arms had any feeling against this gentleman on account of his colour. I believe that an expression of regret from the sergeant-at-arms to the gentleman personally would be the simplest solution.

Mr. SPEAKER. I will have the matter inquired into.

RELEASE OF TWO PRISONERS.

Hon. A. B. AYLESWORTH. Before the orders of the day are called, I wish to make some further allusion to the matter which the hon. member for West Algoma (Mr. Boyce) brought to the attention of the House yesterday. I was not aware that the hon. gentleman intended to mention this matter yesterday, and in what I said yesterday about it I was relying entirely on my memory. Of course it is impossible to keep in mind all the details of 2,000 or more similar cases which pass under consideration in the course of a twelve months. Since the House adjourned, however, I have verified my recollection with regard to this matter by referring to the past, and am therefore in a position to speak definitely and accurately at the present time. The article which the hon. gentleman read to the House is taken from the current April number of a journal called the 'Canadian Municipal Journal,' published I think in Montreal. It is entitled 'Where was the pull,' and pursuing the idea suggested by that caption, it proceeds to charge that two prisoners to whom clemency was extended by His Excellency some time ago, were released because their counsel, Mr. T. C. Robinette of Toronto, was a personal friend of mine, and a man who enjoyed with me a considerable amount of personal influence, or 'pull.' Speaking from memory, as I was yesterday, I could not feel absolutely sure that there might not be some memorial or certificate of character among the papers which bore the signature of Mr. Robinette among others. I did not think it was so, but I could not be absolutely positive. I wish now to state that in the first place, Mr. Robinette was not counsel for the prisoners, or either of them, as stated in this article; nor was he concerned in any way whatever in the application for clemency on behalf of these prisoners, and did not in any way intervene in the matter even by so much as signing a petition or certificate as to the character of the men. In short, the fact is that he had no single thing to do with this matter any more than the hon. member who brought this matter to the attention of the House yesterday. Yet this article, in order to found its attack, states categorically :

> Mr. Robinette, K.C., defended the prisoners —though it seems strange that an eminent lawyer should stoop to such a dirty case— and he, it is understood, is a personal friend of the minister.

The prisoners were defended by two gentlemen each of whom is a personal friend of mine quite as much so as Mr. Robinette. The gentlemen are Mr. Geo. Tate Blackstock, K.C., of Toronto, and his partner, Mr. Hugh Rose. These gentlemen are the men who made application for the clemency of the Crown in regard to their clients, the prisoners. The article in question states that these men were convicted for distributing obscene literature and post cards, that evidence was given by two stenographers that they had refused to work for the prisoners, so filthy was the business. After making other statements in regard to the case, the article proceeds :

> The question that is now being asked is, 'Where is the pull?'

Now, I am sorry to say, Mr. Speaker, that this article, like a good many other newspaper articles, relies upon its imagination for its facts. There is not merely inaccuracy in the statements I have referred to, there is what cannot be properly designated otherwise than untruth, in short. It is simply an instance of a newspaper writer fabricating his own news in his own back office. It is not a fact that two stenographers at the trial of these prisoners gave evidence that they had refused to

work for the prisoners so filthy was the business. No evidence whatever was given at the trial; the facts were admitted. It was in short a question simply whether upon the admitted facts the offence charged in reality existed. The offence charged had nothing to do with post cards, it was the circulating of obscene books, as they were called, tending to corrupt morals. The prisoners were either partners, or one the proprietor and the other the manager of a business in Toronto for the selling of books. I have forgotten the name under which the business was done; but so far as the papers show, and so far as any report on the matter which I received, shows, the business was the ordinary legitimate business of respectable book selling. But among the volumes which had been sold by these men were such books as English translations of Balzac, of Petronius and other Latin authors, of Brantôme, also a French writer; and undoubtedly in these books, which are classics, and which are to be found on the shelves of our own library or of any other large library, in these books are to be found passages, just as I need not say there are to be found passages in that best of books that we all revere, which, if they were singled out or collected and published together, might properly be described by the word indecent. But the business which these men were carrying on was of the legitimate character I have described. A prosecution was instituted against them. It is not for me to express an opinion of the judiciousness of that prosecution, but a prosecution was instituted against them, not for distributing obscene post cards, for there was nothing of the kind, but for circulating books said to be obscene and tending to corrupt morals. The learned judge, upon the admitted facts of the case, made a conviction and sentenced the two prisoners. In sentencing them he said that it had come within his knowledge, or that he had been told—I have forgotton the exact way in which he worded his remarks—that one of two young women who had been engaged as a typewriter by this firm, had been compelled to abandon the position by reason of the character of the work that she was called upon to do. There was no evidence of it, but that observation was made by the learned judge when passing sentence. There was sent to me an affidavit or statutory declaration from this young woman who said that she was the only woman employee of the business, that she was the stenographer and typewriter engaged by this firm, that she had been with them for some length of time, and that there was not one word of truth in the charge that she had been compelled to abandon her position by reason of the improper character of the work that she was called upon to do. That statement then, as this other statement of fact to which I have adverted, is entirely without foundation in fact.

Now, with regard to the application for clemency, I have only to say this: The application was made by the solicitor whom I have mentioned. I received a large number of letters with regard to the case from prominent men, business men, men of standing not only in Toronto but in other parts of the country. I do not think it would be right that these letters should be made public. There is nothing in them to conceal, but of necessity any communications of this nature are of the most confidential character. The department must obtain information with regard to the reputation of prisoners in the community by all means available and unless all communications were permitted under the seal of confidence there would be an end to the possibility of obtaining information or getting the particulars with regard to each case which are of importance in order that the application for clemency may properly be dealt with. I, for the same reason, think that it would not be right even to mention the names of the writers of such letters. I will say simply that I have had letters with regard to this case and urging clemency from more than 25 people of undoubted respectability and standing in the community, such people as managers of banks in Toronto, clergymen, a bishop of the Protestant faith, three other prominent clergymen, one a leading clergyman in the Methodist church, and business concerns of different characters in the city of Toronto, who are acquainted with the prisoners and knew the style of business that they had been carrying on. I am quite content to hand to my hon. friend, or to any hon. gentleman in the House, a list of the writers of these letters which I have made and which I have before me, but do not wish to put it on 'Hansard.' Just one word more. I have had the advantage, in connection with this matter, of a personal discussion of the case with the Attorney General of the province of Ontario, who, I am proud to be able to say, is another warm personal friend of my own, and who, perhaps, on that account, would have had some 'pull' in the matter. He expressed his opinion to me in conversation with perfect freedom. He did more than that; in his capacity of Attorney General of the province, charged with the responsibility for the administration of criminal justice, and whose representatives prosecute in the province, he wrote me a candid, frank letter in the matter, which is upon file, expressing his own views and his own recommendation in regard to this case. I seek to put no responsibility upon him in the matter, I willingly assume the whole responsibility myself. I gave the advice to His Excellency that these men should be sum-

marily released, because, in my humble judgment, speaking as a lawyer, they were not guilty of the offence with which they were charged.

WATERWAYS TREATY.

Mr. R. L. BORDEN. I would like to ask the Prime Minister whether he would have any objection to a motion for the immediate printing of the documents brought down in connection with the Waterways treaty?

Sir WILFRID LAURIER. No.

Mr. R. L. BORDEN. In that case I would move:

That Rule 72 be suspended and that the documents brought down in connection with the Waterways treaty be printed forthwith.

Motion agreed to.

HUDSON BAY RAILWAY.

Mr. MacNUTT. I would like to draw the attention of the government to a report appearing in the Montreal 'Gazette' a few weeks ago which, I think, has been referred to before. The article is a follows:

It is reported that government engineers employed in locating the Hudson Bay railroad have been obliged to stop work, having come to an impassable obstacle in the shape of an extensive muskeg, which cannot be bridged. The country may have cause for satisfaction if a physical muskeg keeps it out of the financial muskeg into which the construction of the railway threatens to plunge it.

The 'Globe' a few days ago, had the following statement:

THE HUDSON BAY RAILWAY.

A bottomless bog had been encountered on the survey of the Hudson Bay railway, the Montreal 'Gazette' said in a recent issue. The writer added that if it prevented the building of the railway it would be a public benefit. Whether this attitude towards the Hudson Bay railway represents a majority of the people of the Dominion it is impossible to say, but that it represents a number who have given the subject some attention there can be no question.

This is followed by a long article which opposes the project of building the Hudson Bay railway. I would like to ask, on behalf of the west particularly which is greatly interested in this undertaking, whether the government has any knowledge of any impassable bog having been encountered, or whether it has any intention whatever of abandoning the project of having the Hudson Bay railway constructed in the near future?

Mr. GRAHAM. I had noticed the articles in question to which my hon. friend (Mr. MacNutt) refers, and I communicated with the chief engineer, Mr. Armstrong, in reference to the statment that a bottomless bog or muskeg had been found on the proposed route of the Hudson Bay railway. The chief engineer informs me that no greater obstacle has been encountered than is often encountered in works of this importance, and that the muskeg spoken of is not at all an insuperable barrier to the construction of the road. As to the other point, I may say that the government, so far from having any intention of abandoning the Hudson Bay railway, intends to proceed with it with all possible speed, and having undertaken the construction of that line, I think the country will have confidence that this government will not stop until it completes its work.

PERSONAL EXPLANATION—MR. KING.

Mr. KING. My attention has been drawn to the curious circumstance that in the press reports of the debate which took place on Tuesday last on the Combines Bill the speech delivered by myself and the speech delivered by my hon. friend from Red Deer (Mr. Clark) have been confused in one or two journals.

Mr. R. L. BORDEN. Is that because they were so much alike?

Mr. KING. I have been credited with the views expressed by my hon. friend, particularly in that part of the debate which dealt with the subject of protection and free trade. I feel that it is only due to the hon. member for Red Deer that I should make it quite plain that for the address which has been attributed to me credit is due to him.

CLEAN CURRENCY.

Mr. LEWIS. I wish to ask some questions in reference to articles which have appeared in the Ottawa 'Free Press' on the use of dirty dollar bills. The subject does not concern some of us as much as others. I would first quote one or two items as follows:—

'Free Press.'

Why use dirty Dollar Bills when clean ones may be had from Banks.

Dr. A. R. Pyne, an analyst from Toronto, has examined a well-worn dollar bill and thereon he found no fewer than 2,067,200 microbes.

Truly it was a case of overcrowding. Nobody cares to find out how the doctor managed to make the count, but the fact remains that the dollar bill was very, very dirty.

The other day an American scientist found something over 3,000,000 microbes on a bill.

According to the Toronto 'Telegram' on the bill Dr. Pyne examined there were 243,200 microbes which he styled as 'liquifiers,' 484,400 'non-liquifiers,' and 1,337,600 moulds.

In this connection a banker told The 'Free Press' that the one dollar bills were the dirtiest, the two's next, and so on. The

reason, of course, is that the one dollar bills get the most handling.

After all, is'nt it time in this country that we had clean money?

You can always get clean money at the banks, but most times you have to ask for it. If people demanded clean bills when doing business with stores and shops the banks would soon make an extra effort to have better bills.

The system by which the banks obtain the one and two dollar bills from the government is a rather complex one, but for the purpose of this article it may be briefly explained. In the capitals of each province the Finance Department of the Federal Government has officials known as Receivers General. The banks are supposed to send all their old worn-out bills there and in return get back crisp new ones. The Receivers General in turn ship the old ones to Ottawa and they are destroyed in some of the secret recesses of the Finance Department.

In these days the government keeps ahead of any demands the banks may make for clean money. In fact the federal authorities have lots of clean money on hand doing nothing, but there are lots of dirty, filthy bills floating most industriously from hand to hand.

'It is a well-known fact that bank bills are capable of carrying almost anything. Your agitation for cleaner paper money is certainly a good one.'

So said Dr. Higgins, Dominion bacteriologist, to the 'Free Press' regarding the campaign for clean money.

'Paper absorbs moisture,' continued Dr. Higgins, 'and moisture is laden with germs. Some men moisten their fingers with saliva to count bills. If such men be tubercular there is certainly direct infection. The danger is continually increasing.'

Dr. R. Kennedy said: 'Bank bills are certainly a medium for the conveying of disease germs from one person to another. Some of these old and worn-out bills simply reek with germs.'

'It is almost an insult to offer a man in payment of a debt a bill like some of those in circulation,' Dr. A. T. Shillington said. 'There is considerable danger from a sanitary point of view.'

'Soiled and dirty paper money is not fit for use any more than any other filthy thing,' remarked Dr. M. O. Klotz. 'The one dollar bills are the worst, in view of the fact that they are the most handled.'

'People would never think of picking dirty, filthy paper up in the street and putting it in their pockets, but that is just about what they do when they handle some of these dollar bills.'

'We are handing out clean money now,' one city bank manager told the 'Free Press' to-day. 'Your campaign's a good thing.'

'Are you sending all this dirty stuff to the Receiver General in Toronto?' was asked.

'No, the bills were not bad enough for that. We are just sending them to the smaller branches.'

Next time you go to a bank just ask for clean money. It is healthier, cleaner, and it feels more like money.

The teller may say things, but he'll dig down and get 'em for you. The teller has the clean money, and if he has'nt, he ought to get it for you.

'The teller has orders to be on the lookout for badly mutilated or badly soiled bills,' said the accountant of the Canadian Bank of Commerce.

If the bill is torn or tattered, he puts it aside. But if it is whole, out it goes through the wicket, utterly regardless of how filthy it may be.

'Of course, everything that passes from hand to hand very much has any amount of germs on it. Another thing that must be considered is the expense; every new note costs the bank about two cents and a half.

'In spite of considerable expense the Bank of England never issues a note a second time. The new note is issued and when it comes in it is replaced, whether it has been in circulation five minutes or a year.'

The important point is that the bank teller is the worn-out bill censor.

And so on the evidence of medical men goes. Each and every one agrees that there is danger.

'Of course, the public need some educating on this question of clean money,' he went on. 'We don't have to have dirty bills. If people only demand clean ones, they can get them. The storekeeper will then get after his banker, and the bankers will get after us, and we can keep well ahead of the game.

1. What is the government doing to assist in getting clean money into circulation? 2. Is there any standard under which bills are said to be unfit for use? 3. Has the government enough clean bills on hand to replace the dirty money now in use? 4. And if so, how far does the government keep ahead of the demand of the banks for clean money. I understand that one of the main reasons for the use of dirty money is that on each new bill issued to the bank there is a small charge of 2½ cents.

Sir WILFRID LAURIER. I am sorry the Minister of Finance is not here to answer my hon. friend. We are bringing in a pretty large budget this year to issue a good deal of clean money, and whether it is clean or not clean I have to say to my hon. friend that in this matter he will have to take the good with the bad as usual and take the bills with the microbes upon them.

Mr. BICKERDIKE. If that was a one-dollar bill that was examined, how many microbes would be on a fifty-dollar bill?

RAILWAY COMMITTEE REPORT.

Mr. SPROULE. Why has not the report of the Railway Committee agreed to last Wednesday been presented to the House?

Mr. GUTHRIE. The report has been prepared, but I have been asked to hold it over until Monday, as the promoter of a

Bill particularly mentioned in the report is anxious to make some motion in the House when the report is presented and his motion is not ready.

Mr. SPROULE. Is such a request from a private member sufficient to justify the chairman of any committee withholding the report from day to day?

Mr. G. TAYLOR. Monday is not the day to present it, as few members are here in the morning.

Mr. GUTHRIE. I have no objection to holding it over until Tuesday. I understand the report affects only one Bill, and as no public interest will suffer, and as the report is that the Bill be not proceeded with, I can see no objection to Tuesday.

Mr. SPROULE. I would like a ruling from some authority as to whether reports from committees can be held over at the convenience of any member.

SUPPLY—ADMINISTRATION OF THE DEPARTMENT OF AGRICULTURE.

Mr. FIELDING moved that the House go into Committee of Supply.

Hon. SYDNEY FISHER (Minister of Agriculture). Mr. Speaker, before you leave the Chair to go into Supply, as my estimates are to be taken up in the committee, I would ask the patience of the House while I make a slight preliminary statement of the operations and the work of the Agricultural Department. Many questions have been asked by members during the session, and it will be more convenient for the members if I make a general statement in connected form free from the interruptions which necessarily take place in the Committee of Supply.

I am glad to say that, as a rule, my department has received very generous treatment at the hands of the House of Commons. The members have taken a great interest in the work of the department and shown a legitimate and laudable desire to know and to understand that work. I have also to say that the Committee of Supply have been generous in the way in which they have consented to vote the necessary sums of money to carry on the work of the department. I must confess that on this occasion I am asking parliament to grant me larger sums than have ever before been asked or spent in regard to agriculture.

I feel that some slight explanation is necessary to justify this request on my part. I do not wish to burden my remarks with any number of figures, but I would like to draw attention to the fact of a very great increase in the expenditure in regard to agriculture in Canada, and I would just read one or two figures to show this. I do not propose to-day to deal at all with any subjects which are not really of a purely agricultural character, and I will therefore allude simply to the items of that description and no other. I will show what has been effected. Here are the estimates of parliament for 1896 and 97 and for the present year 1909-10. For experimental farms in that year 1896-7, parliament voted $79,000. I asked last year and obtained from parliament $153,000 for the same purpose. For the printing and distribution of farm bulletins and pamphlets in 1896-7 parliament granted $4,000; last year we spent $8,000. For dairy in 1896-7, we spent $30,000; last year $90,000. For cold storage in 1896-7, we spent $20,000; last year $75,000. For health of animals in 1896-7, we spent $22,000; last year $250,000. In 1896-7, we spent $7,000 for the aid of agricultural societies in the Northwest Territories. Since the provinces have been established there, that work is left to the provincial governments and consequently last year we had no vote for that purpose. But in addition to the votes we had in 1896-7 for certain objects in connection with which I have given the figures for this last year, we have had in addition during last year for fumigation stations, $5,000, which was not dealt with at all when I came into office; for the seed division, $49,000, for which there was no appropriation when I came into office in 1896-7; for live stock, $52,000, for which there was no appropriation at that time; for Canned Meats and Foods Acts administration, $110,000, for which there was no appropriation when I came into office; for tobacco stations, $5,000, for which there was then no appropriation; for the Rome institute of agriculture, $10,000. Now, taking the total of the expenditure for purely agricultural subjects in the department for 1896-7, I find there was an appropriation of $162,000. For this year which was closed, for the same objects and for purely agricultural objects, there was an appropriation of $807,000.

Mr. GEO. TAYLOR. And not much more work was done.

Mr. FISHER. A change of this kind, an increase of this kind certainly requires justification, and for that reason I want to say a few words in regard to the agricultural industry and interests in this country. I have not the figures for the census of 1896. At that time there was only a decennial census, one in 1891 and one in 1901. But lately we have been taking census work especially in connection with agriculture much more frequently, and the result is that I have these statistics of agricultural products in Canada for the year 1909. I will, however, give as a comparison a few figures from the census of 1891, the census of 1901, and the reports

of 1909. In the first place, I would say, with regard to the acreage of land in Canada which was under cultivation in 1891, that there were fifteen and a half million acres under cultivation. In 1901, there were nineteen and three-quarters million acres, and I think I am justified in saying that in 1896 there were in the neighbourhood of seventeen millions acres of land under cultivation.

Mr. ARMSTRONG. Mr. Speaker, does the hon. minister——

Mr. FISHER. Will the non. member (Mr. Armstrong) be kind enough to wait until I have finished my statement, and then I will be glad to answer all questions.

Mr. ARMSTRONG. I rise to a question of privilege, Mr. Speaker. Is the hon. minister entitled to quote a lot of figures and statistics which no doubt will be distributed in hundreds of thousands throughout the country when we are not in possession of these figures?

Mr. FISHER. There is no question of privilege in the matter. I am going to make a statement, which I hope will illumine and inform the hon. gentleman along with other people. Of course, if he does not wish to be informed or illumined, he has his recourse.

Mr. SCHAFFNER. It is a very unusual way.

Mr. SPROULE. I think it is too serious to pass over. In my judgment it is eminently a question of privilege. It is the right of any member of this House to ask a question so as to get information. The hon. member (Mr. Armstrong) only asks whether he had a right to speak on a question of privilege. I ask the ruling of the Chair.

Mr. FISHER. I have just the same right as any other member.

Mr. SPEAKER. Any hon. member has a right to speak to a point of order.

Mr. FISHER. I submit that the hon. gentleman (Mr. Armstrong) did not rise to ask a question connected with what I was saying. The hon. member rose to ask a question connected with ulterior and future intentions and objects. I beg leave to say that having the floor, no man has a right to interrupt me except with my permission. I politely and quietly asked that I might be permitted to make a statement without interruption, because in days gone by, in explaining the estimates of the Department of Agriculture, I have found it impossible in the Committee of the Whole to make a consecutive statement which was understandable to the members of the House.

Mr. SCHAFFNER. Nobody else does.

Mr. FISHER. But I wish to do that on this occasion so that the members of the House may approach the work of the Agriculture Department in committee with a better knowledge and understanding. I stated then, and I state again, that when I come to committee I will be glad to give all the information necessary or possible. I only ask that hon. gentlemen wait until I have finished my remarks before asking questions.

Mr. ARMSTRONG. My object in asking the question was this: The hon. minister has quoted a lot of figures which we have not in our possession, and without which we will not be able to discuss the matter intelligently. Unless we can ask questions as the minister goes along, I do not see how we can criticise the statistics he is placing on 'Hansard.'

Mr. R. L. BORDEN. Mr. Speaker, under the rules of the House a minister having the floor can decline to permit any person to ask a question. There is no doubt about that. But it is a most unusual course for a minister to take, and I do not think he will find that it will facilitate his work so much as he may imagine. But if he sees fit to adopt that extremely unusual course, I do not know that there is any way of compelling him to do otherwise. Where figures are given, and where a statement is not altogether clear, it has been the invariable practice in this House for any speaker to submit to questions in order that his remarks might be understood. If the minister does not see fit to adopt that course, perhaps we will have to have some little delay until his speech is printed.

Mr. SPROULE. It has been the common practice in this House for any member to ask a question upon anything that is being said, if he does not understand what is being said. I desire to have the ruling of the Chair so that we may know what are the privileges of parliament.

Mr. SPEAKER. It is a well recognized rule that when a member is in possession of the floor he cannot be deprived of it without his consent, unless some question of order or of privilege should arise. It is a question of policy for the minister to say whether he is to answer questions or not. But, legally speaking, he cannot be interrupted except on a point of order or a question of privilege.

Mr. FISHER. I did not understand the hon. member for Lambton (Mr. Armstrong) to ask me a question in regard to the figures I was quoting. I understood him to make a statement that I was making a speech for an ulterior object. If I misinterpreted or misunderstood him, I am

quite willing to be corrected. But that was my understanding of his interruption. I may say without any offence, it is my opinion, which I give for what it is worth, that I have noticed of late an inclination to interrupt in a way that prevents that continuity of statement which, under certain circumstances I consider to be advisable and necessary, and I do not wish, I confess, to yield to that kind of interruption. If anything I have said is not clear to any hon. gentleman opposite, I am quite willing to make it clear, and if any question is put to me for that purpose, I should be glad to answer it. But, when a question is put to me to elucidate information which is not contained in the statement I am making, I consider it to be entirely beside the mark, and I do object to be interrupted for that purpose. I have a right to place the information I have before the committee, and other hon. gentlemen have the same right to state what they wish to put before the committee or the House. I think each speaker ought to be the judge of what he wishes to put before the House, and ought not to be interrupted and obliged to go on with extraneous subjects.

Mr. ARMSTRONG. My object was to ask questions along the lines on which the minister was talking. For instance, he was giving some figures as to the land that is under cultivation throughout the whole of the Dominion. I would like to have had the privilege of asking him to give the amount of land under cultivation in the different provinces. We know that the west is being opened up to a great extent; and we in the older provinces know, take the province of Ontario for instance, that they are not being developed to anything like the extent the minister might lead the country to believe from the figures he is quoting.

Mr. FISHER. I do not care to have a speech of his interpolated in what I am saying. I do not think it is advisable that that should be done. I am not going to cast any reflections on anybody, but I do not think that it is a fair or proper rule to adopt in this House. If my hon. friend had said to me when I had finished my statement, have you the figures of the different provinces, I would have said to him: No, and that would have settled the matter. But to be interrupted in what I am saying is not in my opinion either fair or desirable in the interests of the public business of the House. I was saying, when I was interrupted, that I think I am fairly well acquainted with the area of land which was under cultivation in Canada in the years 1896-7, that it was in the neighbourhood of 17,000,000 acres. I find, however, that this last year there were something over 30,000,000 acres under cultivation. Of what my hon. friend (Mr. Armstrong) says, I am fully aware, and I am quite ready to state in general terms that there is no doubt that out of the increase, a very large proportion, perhaps the largest proportion, I will say the largest proportion, is in what we commonly call the northwest. But I would point out to him, and to other members of the House, that that is the one chief reason why it is necessary to increase the expenditure on agriculture in Canada. If we were simply dealing with old provinces, if we were simply dealing with well known conditions, if we were dealing with what had gone before, and there was nothing more to do, it would not be so necessary to increase our expenditure or to increase our organization as it is when the new development of agriculture is under new conditions and in connection with new lands. Therefore, what I stated a few minutes ago as showing why it is necessary to spend more money to-day than it was when this government came into office, in 1896, is more than justified by the fact that the development of agriculture is chiefly in the northwest. Now, my hon. friends opposite, I may say, are a little difficult to please. I did not intend to try to make any statement or any animadversion upon anybody. I had wished to make my statement without any boasting and without any comparisons between parties or anything of that kind. My hon. friends opposite, however, seem to resent what I am doing. I find it very difficult indeed to please them. If I did not do this, if I did not spend money I am attacked, and the government is attacked, because we do not spend enough money on agriculture and do not do enough for agriculture. If I undertake to make propositions in favour of agriculture, or for the benefit of agriculture, I am told, not infrequently, that I am doing it simply for the purpose of getting some more patronage, some more opportunities to appoint friends to office, and so on and so on. I may say to my hon. friends that that will not in any way debar or prevent me from doing what I consider to be in the interests of the country. I have spoken of the various measures I have been able to carry through with the good support of my friends in the House, sometimes, very frequently with the full opposition of gentlemen opposite, although I do not remember at the moment of a single instance in which they divided the House or put themselves on record as having opposed the propositions I have made in the interests of agriculture. It is true that they may delay the passing through of certain measures: it is true that they may nag at me and talk and talk, but when the time comes to put the thing through, they are obliged to acquiesce in it, because they know that the great mass of agricultural electors in this country are in favour of it and are going to support the government who vote for it. They

know that if they place themselves on record against it, they would incur the opposition of the great agricultural electorate of Canada. Now, Sir, enough of this.

Some hon. MEMBERS. Hear, hear.

Mr. FISHER. My hon. friends opposite may applaud if they like. I say enough of it, because I think I have given them enough. I say enough of it, because although I am quite ready to go on and fight them as long as they want on this question, or any other question that might come up, I do not want to fight if I can help it. I am of a peaceable disposition, and it is only when I am obliged to fight in the interests of the people I represent, that I undertake to do the fighting, and then, I think, I am fairly well able to maintain the principles of those I represent. There is one thing in regard to the Department of Agriculture.

Mr. ARMSTRONG. Before the minister proceeds, I wish to ask the Speaker whether the Minister of Agriculture, or any member of this House, has a right to discuss estimates on going into supply?

Mr. SPEAKER. There is no question I know of except questions that are on the order paper that cannot be discussed on going into supply. The grievance before supply is an old established principle. Unless a question is on the order paper it can be discussed.

Mr. FISHER. The Minister of Finance says I might have a grievance against the opposition. I do not want to do that for as a general rule they treat me pretty well. They sometimes try to exhaust my patience, but I have a good fund of it and generally they do not succeed. They sometimes delay the good things I am proposing in the interests of agriculture, but in the end I get my way and the agriculturists reap the benefit of what the government is doing, and I have no quarrel with them. You know it is the man who wins who can afford to be generous, and I appreciate that the gentlemen opposite, who are losing year after year, more each year as the years go on, show a little irritation and impatience, while we on this side of the House are strong and therefore we can afford to be forbearing and let them have their fun.

Mr. SCHAFFNER. Dear, dear.

Mr. FISHER. My hon. friends are evidently less interested in agriculture and the people connected with it than they are in their own amusement and their party work in the House. The Department of Agriculture while it has to-day a good deal to do with agriculture, at one time had not much to do with agriculture. In 1867, although it was called the Department of Agriculture, there was absolutely no agricultural work pure and simple going on in the department. The department had under its control immigration, census and statistics, patents, trade marks, designs and copyright, and quarantine, but nothing of an absolutely agricultural character. I suppose that the reason why all these things were put under the department was the simple fact, deplorable as it was, that there was nothing doing in agriculture on the part of the government and the minister, having nothing to do in the way of agriculture, was given all these other things to attend to.

I want now to please my hon. friends opposite by telling them that the Conservative government in 1885 and a Conservative member in this House on 1885 made the first move towards getting the Department of Agriculture to do something for agriculture in Canada. In 1885, Mr. Gigault, the member for Rouville, an earnest, studious man who appreciated the interests of the people whom he represented, moved for a committee to consider the agricultural industry of Canada. The committee sat—I had the honour of being a member of it myself—and for a long time we did a great deal of hard work in obtaining information as to what other countries were doing for agriculture. The report of that committee recommended the establishment of experimental farms and the result was that Hon. Mr. Carling, then Minister of Agriculture in 1886, introduced a Bill to establish experimental farms. This was really the first purely agricultural work which the Department of Agriculture attempted to do since the confederation of this Dominion. All honour to the government of that day, all honour to Mr. Gigault who instituted the work, who brought forward the question and with a great deal of labour, thought and study presented a report of the greatest value to this House. I say again all honour to the government and all honour especially to the present Sir John Carling, then Minister of Agriculture, because I know that in doing what he then did, in the institution of experimental stations in Canada, he met with but a lukewarm assistance or support from his colleagues or from the House. He, however, carried it through successfully and he was fortunate, as well as wise in the choice of the gentleman whom he chose to carry out that work. He called to his assistance Mr. William Saunders, of London, now known all over Canada, and I might say all over the agricultural world as Professor Saunders, Director of Experimental Farms for Canada, and gave him an opportunity to

study, work out and establish an organization of experimental farms and stations in Canada which would do something for the progress of agriculture in Canada. Today the work of our experimental farms is a monument to the foresight, the skill, the energy and study of Professor Saunders. Our present organization is on exactly the same lines although somewhat amplified. Professor Saunders has done a work which is recognized and acknowledged by everybody to have been of inestimable advantage to the agriculture of the country. The system is a monument to that gentleman which ought to last and ought to be recognized by everybody in Canada.

In 1890, Hon. Mr. Carling appointed a dairy commissioner in the person of Professor Robertson. Professor Robertson was first attached to the staff at the farms, but after about four years he resigned his position at the farm, was appointed dairy and agricultural commissioner, especially for outside general agricultural work, and development in the country. This was a new departure again in the Agricultural Department and one of the greatest value to the country. Professor Robertson started in on what I may call an educative campaign all through Canada. He was able with his extraordinary faculty of clear exposition, with his extraordinary power of attracting people to him and to his teaching, to arouse the enthusiasm and interest of the people in the country towards agriculture in a way that probably was never equalled in any country and certainly never in Canada. He went on with this work from year to year and in 1896, when the government changed and this government came into office, he was doing this work.

I must go back a few years to the establishment of the veterinary branch of the department. Many years ago there was an outbreak of contagious diseases among animals in the United States, and in 1868, the first order in council was passed prohibiting the importation of cattle from the United States. An Act was passed in 1869 affecting the contagious diseases of animals and in 1876 quarantine stations were established at Halifax, St. John and Quebec, and Dr. McEachran, of Montreal, was appointed head of the service. The Doctor did not give up his own private practice and gave a portion only of his time to the service. This went on until 1902, when I found it was necessary that we should have the entire time and attention of such an officer. Dr. McEachran was not willing to give up his private practice and therefore, retired from that executive position and Dr. Rutherford was appointed head of the veterinary staff with his residence and office here in Otawa, giving his whole time and attention to that work. I may say that Dr. McEachran did not have his office in Ottawa, and the secretary of the department attended practically to all the routine work. I am not going into the details of that now, because I want first to say a word or two of the general work of the department.

In the general development of the work which has been going on, the farmers of the country have taken a tremendous interest, and they have been stimulated to study their business much more than they used to do. With the exception perhaps of a few live stock men of Ontario who have always been in the forefront of agricultural progress on the continent of America, the great mass of the farmers of Canada were evolving what I may call a very elementary agriculture into the scientific work of the cultivation of the soil and the management of stock on farms. The work of the department has been mostly of the nature of instruction, for the purpose of rousing their interest and giving them information. In this connection I would like to make a statement as to the amount of literature and bulletins that we send out from the Agricultural Department to the farmers. In 1907 we sent out 534,000 bulletins or leaflets in English, and 238,000 in French, or a total of 772,000 pieces of literature distributed to individual farmers over the country, not in bundles, not in bulk, but addressed to individual farmers. In 1908 the quantity dropped a little, to 726,000 pieces. This year, however, I am satisfied, without knowing the figures, but by reason of the fact that our originization has been improved, there has been a material increase in the quantity sent out.

Now, having thus given a general outline of the work, I want to say a few words in regard to the veterinary branch. I spoke a few moments ago of the establishment in 1876, of quarantine stations at Halifax, St. John and Quebec. In 1883 a station was established at Point Edward, Ont., for the purpose of dealing with importations from the United States. In 1884 another one was established at Emerson in Manitoba, and there was an arrangement made for an inspection of animals coming in from the United States along the northwestern boundary. Five years later, in 1889, another quarantine station was established at Victoria, B.C. There was an outbreak in 1884 of the foot and mouth disease which was dealt with at the quarantine in Levis, but it never spread outside the quarantine, and it was occasioned by the importation of animals from the old country which were diseased when they landed. In 1885 we had the first case of hog cholera which no doubt came in from the United States where that disease had been very prevalent. In 1890 quarantine stations were establish-

ed at Manitou and Deloraine, in Manitoba, in 1891 and onward other stations were established in the west. In 1902, Dr. McEachran resigned, and Dr. Rutherford was appointed chief veterinary inspector for the Dominion, with head office at Ottawa. Later in 1904, Dr. Rutherford's title was changed to Veterinary Director General.

I wish to say a word or two in regard to the general work of that branch. Originally the branch was only intended to work at the frontier to protect Canada from the introduction of animal diseases from abroad, As time went on the difficulty of dealing with that disease from a local standpoint and under provincial laws, has been growing, and we have found it necessary to deal with it from the Dominion point of view. The Animal Contagious Diseases Act applies to the whole Dominion, regulations made under it apply to the whole Dominion, and by reason of the fact that there is a constant passage of animals from one province to the other, and constant danger that disease may spread beyond the confines of any particular province, it has been found absolutely necessary to deal with this disease on broad Dominion lines. The work has continued to increase, and I am glad to say most successfully in some respects. The hog cholera which came in from the United States into the southwestern part of Ontario, and which, at the time I came into the office, was very virulent, continued for some years afterwards without much abatement, but it has now been practically stamped out. Some seven or eight years ago we were paying on an average something like $30,000 a year as compensation for the slaughter of hogs. The last two or three years the expense has gone down, one year as low as $2,000. I think last year in consequence of one particular herd of great value being slaughtered, the sum went up a little; but the average for the last few years has been well under $5,000. We have not completely stamped it out and do not expect to, but we have it pretty well within control, and whenever there is an outbreak we are able to localize it and prevent its spreading. There was an old disease called the Pictou cattle disease which, for a long time, was a source of great trouble in the counties of Pictou, Guysboro and Antigonish, N.S., and notwithstanding our efforts, it spread a little into Prince Edward Island. Years ago, in the early part of my administration, and before then, we were spending on that disease a few thousand dollars every year in paying compensation for slaughtered animals. The disease did not increase to any great extent, but it did not decrease at all. When Dr. Rutherford came into office he assured me that he was satisfied the disease was altogether due to the eating by the animals of a certain local weed commonly called the stink weed, or ragwort. Exhaustive experiments were undertaken to find out whether that was the case, and after several years of investigation it was absolutely proved that that weed was the cause of the disease, and we refused any longer to pay compensation for the death of those animals, because it had become very evident that the existence of the disease was due to the failure of the farmers to eradicate that weed. They naturally replied to us, how can we eradicate that weed? We immediately set to work to try experiments with sheep on a farm in the neighborhood of Antigonish, and we showed clearly in the course of three seasons that the pasturing of sheep on a piece of land infested with that weed, would destroy it and absolutely clean the land of it within a few years. The result is that to-day we have been able——

Mr. ARMSTRONG. I am sorry to interrupt the minister, I did not know that he was dealing with weeds. Before he had concluded his remarks on quarantine I wanted to ask him if he would be good enough to tell the House what he had done for the removal of the cattle embargo, or whether anything had been done.

Mr. FISHER. Really, Mr. Speaker, I must say that I think this is a must unfair interruption. I am speaking of a matter of interest which my hon. friend, being from Ontario, may think of no consequence, but which is of great consequence to the provinces of Nova Scotia and Prince Edward Island, in which, over a considerable area of country, large numbers of farmers are seriously hampered in their operations, and have been for years past. Why my hon. friend should get up and interrupt me in talking of that subject by a question with regard to the cattle quarantine in England, is beyond my comprehension, and it is an evidence of the state of affairs I spoke of a few moments ago, showing that the hon. gentlemen opposite either intentionally or by arrant stupidity, are delaying the progress of public business.

Some hon. MEMBERS. Order.

Mr. SPEAKER. I think the hon. gentleman's expression is a little too severe.

Mr. FISHER. I am happy to withdraw the remark, it is evident that hon. gentlemen opposite do not like arrant stupidity.

Mr. LENNOX. I think the statement of the minister is very ill-timed. We have been listening attentively and courteously to his remarks and I think his statement comes with very bad grace.

Mr. FISHER. I am not speaking of unkindness; I was only remarking what I said—

Mr. LENNOX. I did not use the word 'unkindness.'

Mr. FISHER. The hon. member for East Lambton just now stopped me and the interruption he made was entirely out of place. The opposition undertake to interrupt in the most unnecessary and ill-judged way asking questions about one subject when I am discussing another, and questions which are entirely irrelevant to the matter under discussion.

Mr. ARMSTRONG. I think the minister is most unfair. When I rose I said that I thought he had concluded his remarks on quarantine, and surely, when he was discussing the question of quarantine, it was the proper time to ask him whether the cattle embargo had been removed, and if not, why not. It was merely a straight question, and it was not innetded to be harmful in any way.

Mr. FISHER. I can only say that I cannot understand what the relevancy of that question is to the question under discussion—the Pictou cattle disease. It was put to me in the middle of a sentence, and before I had concluded my remarks upon that subject. My hon. friend now contends that it was because he feared I was going to leave that branch without dealing with the cattle quarantine in England. But, he asked me a question entirely and absolutely irrelevant to the remarks I was then making. I have no objection to fair questions with regard to the subject upon which I am speaking. If my hon. friend had asked me a question with regard to the Pictou cattle disease, I would have been glad to have given him any information and endeavoured to answer him as well as I could, but to interpolate a question about the cattle quarantine in England in the middle of a sentence while dealing with the Pictou cattle disease is to do something which is absolutely irrelevant and interrupts and prevents the continuity of the statement which I desire to make. My hon. friend now says that he had not any evil intention and I accept his statement, but I want to ask him not to repeat that kind of thing.

Mr. ARMSTRONG. The minister was talking about seeds and the sheep picking them up.

Mr. FISHER. The hon. gentleman shows how little he understood what I was saying. I was pointing out that a certain disease was due to the eating of a weed by the cattle, that farmers, as a result of our proof that that was the cause of the disease, asked how they could get rid of the weed, and I pointed out that we had been able, by a series of experiments, to show how they could get rid of the weed. I will deal with weeds at a later stage in regard to the Seed Control Act and the branch of the department having that matter in charge. But this is a question entirely of animals and not of weeds. It was the weed only with reference to the disease in the animals that I was discussing.

Mr. SPROULE. If there was no relevancy in the question put by my hon. friend from East Lambton, is it not a fact that the embargo is due to diseases in cattle, and the minister is dealing with diseases in cattle which would exclude them from England or the United States? Then, if a question is asked at that particular time, under the impression that the minister is passing to another subject, how can the question be irrelevant?

Mr. FISHER. The hon. gentleman says that he was under the impression that I was passing to another subject, and yet he put his question to me in the middle of a sentence. If the hon. gentleman had only reflected a moment, he would have known that the Pictou cattle disease has nothing to do with the cattle embargo, that the embargo placed on cattle going from Canada is from fear of pleuro pneumonia and foot and mouth disease, and only in regard to these diseases.

Mr. SPROULE. Who knew what the Pictou cattle disease was?

Mr. STAPLES. Have I the minister's permission to ask a question of him?

Mr. FISHER. Yes, in regard to this subject.

Mr. STAPLES. I will try to stick to the subject, seeing that the minister is so touchy this morning. If the minister is out for a scrap, he will probably get it before he is done. Has he not had that disease fully explained in a pamphlet, and has he not issued it throughout the districts affected by the disease?

Mr. FISHER. Yes.

Mr. STAPLES. Then, what is the object of the minister, at this late stage of the session, taking up the time going into this question, or trying to formulate it in a speech when it has already been dealt with and the facts put in the hands of the agriculturists of the country?

Mr. FISHER. Well, my hon. friend will have to answer that for himself. From the way in which questions are put to me, it is very evident that a good deal of repetition has to be indulged in to inform hon. gentlemen opposite, and perhaps somebody else. But, I intend to go on with my remarks.

Mr. CAMPBELL. May I ask a question also?

Mr. FISHER. Yes, if it is relevant.

Mr. CAMPBELL. Certainly, it will be, or I would not ask it, Sir. The question

I would prefer is this: Has this weed that products this disease any relation at all to the Loco?

Mr. FISHER. I cannot say.

Mr. CAMPBELL. Does the minister know what the Loco is?

Mr. FISHER. I am not quite certain that I do.

Mr. CAMPBELL. Well, I will tell him.

Mr. FISHER. I do not wish to get the information from the hon. member. I will find out from a better authority.

Mr. SPEAKER. The minister certainly has the floor, and the rule of the House is that he cannot be interrupted except to order or privilege. If he wishes to answer a question, it is merely through courtesy.

Mr. FISHER. In addition to the Pictou cattle disease, which we have been able to deal with, and in regard to which we have been able to reach pretty fairly accurate conclusions, we have had a good deal to do with sheep scab, and I am glad to be able to say that by careful observation, watching, quarantine and dipping, when the disease existed, we were able a little while ago to notify the United States authorities that there was no sheep scab in Canada. That was of great value to the country, because two years ago the American authorities put on a quarantine against Canadian sheep going into the United States. That was of great importance to our sheep breeders, because one of the best markets for our sheep is in the United States, and the quarantine practically shut them out of that market. The sheep breeders of the country approached me and urged that we should deal with the American authorities and secure the abrogation of the quarantine. We made representations, and after a careful discussion of the question and satisfactory proof being submitted to the American authorities that no sheep scab existed in Canada, and that we had a comple organization which would enable us to deal promptly and effectively with any outbreak which might occur, the American authorities, some months ago, removed the quarantine to the great relief of the sheep breeders and dealers of Canada.

There is another disease which has been brought to the attention of the public just lately, which has not been altogether finally dealt with, and that is rabies or hydrophobia. The question has been up in the House recently, and I need only touch upon it as being a part of the work of that branch of the department. In conjunction with the local authorities, there being some question as to the respective powers and authority, we agreed simultaneously, and have been able to issue orders in regard to this disease. The local authorities, having local officers all over the country, undertook to enforce the regulatians. I understand that the result has been the arrestation of the spread of the disease. It was an unfortunate accident that a certain dog came across the bridge at Niagara and introduced the disease into Ontario. The spread was extraordinary, and we have been able by our organization throughout the country to follow up, and locate practically all the animals which were likely to have been affected. I am glad to say today that by the effective work of the local authorities, the authorities of the government of Ontario in whom the hon. gentlemen are very much interested, working under the regulations issued by my department, the disease has been reduced, the dangers have been confined, and I believe that in a short time the disease will be stamped out, and we will be able to reach the position which we occupied a few years ago in which it could be said that there was no hydrophobia in Canada. In connection with our other veterinary work in 1904, we established at the Experimental Farm here a biological laboratory in which specimens of diseased animals or meats can be examined biologically by experts, and a decision come to in regard to this and other diseases. This was an absoulte necessity if we were to carry on the work so as to be sure of our ground, while costing a considerable amount this laboratory has enabled us to work on correct lines, and effectually and to be sure whenever we take steps of enforcement. We had a notable example a while ago which I think is very gratifying to all Canadians of the efficiency of this branch of the department. That was in the case of an outbreak of foot and mouth disease in the New England States. As the result of that outbreak, the American government quarantined the New England and some other states, New York and Michigan, where there were also outbreaks of the disease, and the imperial government in England forbade the entry of any animals into England that came from these states or from ports in these states. We immediately put quarantine on the boundary line, and shut out all communications, not only the passage of animals, but of hides, and of cars without thorough cleaning, and of everything that could possibly bring in the disease. The result was that notwithstanding the long contiguity of territory, over 2,000 miles with territory on one side in which the disease existed, and on the other side the Canadian flocks, and herds among which not one case of disease occurred. We were able to guard our people from the terrible loss that came to the Americans on the other side of the line in consequence of this disease and to keep open the English market to our cattle.

We have lately had the question of tuber-

culosis before us. This is an important question, and is agitating the whole people of the country. We have done a little towards aiding the spread of knowledge in regard to it, and we have tried to see what can be done to decrease bovine tuberculosis in the country. We have refrained from taking drastic steps which might not be effective, and which would entail loss and stoppage of trade. At the same time we have been investigating, and trying to find out a method by which this disease could be dealt with without undue harshness or causing undue loss to the farmers in the slaughtering of animals, or undue stoppage of trade. Just lately we have arranged with the veterinary association of the North American continent that a committee should be established to consider and investigate methods which might be employed, in the interests of all classes of the community, to stamp out this disease. It is a most important, complex, and difficult subject, but one the importance of which I consider justifies our taking great pains, devoting to it great study, and considerable money. I am glad to know that the North American Association of Veterinary Surgeons named Dr. Rutherford the chief veterinary officer of the Dominion of Canada, as chairman of that committee, and he has taken the lead in that investigation work.

A word in regard to glanders. This disease in the old days was hardly known in Canada. There were a few sporadic cases, but some years ago it began to be dangerous. For a few years the efforts to restrain it were ineffectual, and I was obliged to ask a vote to pay compensation, and to order the slaughter of all dangerous animals. This was granted, and a large sum was placed at my disposal. I am glad to say the work has been going on very satisfactorily and successfully. We have been able to show a decided decrease in glanders which is proved by the fact that while in the first year we undertook to pay compensation we paid out about $150,000, this year we paid only a little over $40,000 in compensation, and yet the organization, and system is such that we are to-day better able to reach all cases that are reported or suspected, and I am satisfied that the proportion as between about $150,000 a year and $40,000 a year in compensation, is a fair showing of the proportion of the disease in the country.

Mr. CAMPBELL. Have the department had any complaints with regard to horses being shot by its officials that were not infected with glanders? I mention that because a drunken employee of this government came up to my riding, and shot several horses which after death were examined by a competent man residing there, and proved to have no disease at all outside of a little cold. Your official was drunk of course.

Mr. FISHER. If my hon. friend would give me the name of the official who was drunk on duty in that way, that official would cease to be my official in a very few minutes.

Mr. CAMPBELL. I can very easily do that.

Mr. FISHER. Any official of the Department of Agriculture who is drunk on duty will receive a very short shrift from the minister or the heads of the department. Occasionally complaints of the improper slaughter of animals have reached the department. Questions have arisen. It is natural that people who own animals that they do not think are diseased, should feel impatient at the idea of their slaughter and at only getting two-thirds of the value of the animal. These complaints are not infrequent. They are always investigated, and dealt with on their merits by the chief officers of the department. The particular case my hon. friend (Mr. Campbell) refers to, I have no knowledge of, and I cannot give him any answer just now except what I have stated. But if it is the case that the man was drunk on duty, I will see that he ceases to be an officer of my department.

Mr. CAMPBELL. I will be very glad to give the hon. minister all particulars.

Mr. FISHER. One question more, and it is a pretty important one for the stock men of Canada. That is the establishment of what is known as Canadian records or herd books or stud books of Canada. The live stock men of Canada and of the United States evidently depend largely upon what I might call joint books for recording and registering pedigrees of their animals and securing their certificates of pure breeding. These books in general have been managed in the United States and in the interests of the associations of that country. The breeders in Canada of pure bred stock have been rather impatient for a long time under this, and in some instances have suffered no doubt. Some time ago, in connection with the live stock interests in Canada, representations were made asking me to establish in Canada, Canadian records for the registration of pure stock. It was a difficult and involved question. I did not feel it was proper and right for the government to undertake the management of such records, and therefore I suggested to the leading stock men that if we were to establish a committee under their management, to establish and run an office of the kind, I would give them office room and the necessary stationery, printing and so on, and aid them by a grant of money. I am glad to say that this has been running now for a number of years, I think about five or six years, and that while the work

is not done altogether in a way that is entirely satisfactory, it has been a great boon to the stock men. The committee have entire charge of it, and they have recently come to an arrangement with the officers of my department to make certain improvements and rearrangements which I trust and believe will lead to the satisfactory carrying on of this work. The live stock men of the country are unanimous in saying that the result of its being done, I wont say under government command, but under government patronage, if I may use that term, has been a help to them. The result has been that abroad, those records have been recognized in a way they could not have been recognized, if they had been run by private associations or individual people. There has also been a clear definition of such registers or pedigrees which are eligible for registration in Canada, and this has been a thing which has saved a large number of men who have bought what they supposed to be pure bred animals from abroad, introduced them into Canada, and after using them for breeding purposes for some time have found that the produce could not be registered under the recognized and well established books. When anything now comes into Canada and applies for free entry under the Customs Act, as a pure bred animal the register and pedigree are examined by this office and the owner or the purchaser is notified as to whether the animal is so registered and that it has such a pedigree as will be recognized in the Canadian book. This is a safeguard to the breeders of pure bred stock in the country which I think is of great value and which the stock breeders are recognizing as a great step in advance. It is costing more money to do it, but I think the results justify it, and I am very glad to say in this connection that the men themselves are able to run an office of this kind without interference and only with the assistance of the department.

Mr. HERRON. I would like to ask the minister a question. Have the customs officers at your ports been supplied with full instructions regarding the quality of animals and the certificates that are necessary to show what books the animals are registered in? There are several places along the border line of our country, and if these are not strictly kept people might be imposed upon to the detriment of the country.

Mr. FISHER. A list of the associations or books which are to be recognized is in the Customs Department and has been sent by the department I believe to every collector of customs in the country, and any pedigree which comes in and is presented to them, but which is not endorsed or signed by the properly qualified officials of this association is rejected. We have had communications and discussions with the Customs Department, and I know those instructions have been sent out from the Customs Department to their collectors all over the Dominion, and I have no doubt the collectors are carrying out their instructions. I would like to point out that in addition to this work that I have just sketched we have a live stock division, which is connected with the veterinary division, from the fact that Dr. Rutherford, who is the head of the veterinary division is also live stock commissioner. We are dealing in that division with live stock matters generally, and we are doing interesting work all over the country. We are supplying judges to the fairs, when requested by the authorities of the fairs, and the judges who have been sent have met with universal acceptance. They are chosen simply for their qualifications with respect to the stock they are to judge. They are not permanent officers of the department, as a general rule, but are picked out from well known stock men and without regard to anything at all except that they are recognized as judges of the character of stock they are called on to judge. In this connection I may say these men are paid their travelling expenses by us, but their entertainment at the places they are sent to, is expected to be provided by the association with which they are dealing. The live stock branch has also been editing some books, which I think are of value and which have met with great acceptance on the part of the public. Hon. gentlemen will remember that a few days ago, a book on the swine industry, a report of the commission sent to Denmark, was laid on the table. Since that day, I have had many requests from members of the House, for copies for distribution. My reply to each and every one has been that we had a long list of people to whom those publications were sent, and that if any hon. member sent a list of names it would be compared with the lists which are already in and he would be given the publication if he had not already received it.

Mr. W. H. SHARPE. What was the object of the commission?

Mr. FISHER. I would be very glad to answer the question, but I will just speak for the moment, of the publication. A little while ago a publication in regard to the sheep husbandry of Canada was prepared and put out by the gentleman under Dr. Rutherford, who is in charge of that branch, Mr. Spencer, which has met with a great deal of praise from the people of Canada and elsewhere. It is nicely got up and a large number of copies have been printed and distributed. One reason why it was done in regard to that particular class of

stock was that every one connected with the departmental work feels that it is deplorable that in Canada sheep husbandry seems to be declining. There are not as many sheep in Canada to-day as there were a few years ago. One reason it is stated, is that there is no duty on wool. Another reason given is that the dogs are so bad that they cannot keep the sheep. Another reason is that a great many of our farmers, especially the new farmers, are not disposed to raise sheep and are not successful in sheep raising. We made a special effort to give information to those who might be desirous of going into the sheep raising industry, because we all believe that in Canada there is a splendid opportunity for large industry. We think it is very unfortunate, in view of certain things connected with that class of animals, that they should not be kept in greater numbers unfortunate not only as to themselves, but because of the value of flocks of sheep on the farms for the enrichment of the soil. My hon. friend (Mr. Sharpe) asked what was the object of the commission to Denmark. Representations were made to me that the swine industry was going down, that there were difficulties in regard to the production of swine, particularly in the province of Ontario, where this industry is the largest, and that the men were not getting a fair return on their investment in swine. They pointed out that in Denmark and in Ireland and England, this industry was very successful, that the Danes were our chief competitors in the English market, and that we might be able to learn a good deal. I believed that our officers of the Agriculture Department had all the information that could be got, but I found that the farmers were not prepared to accept that statement, and I thought it would be well to send a small commission of farmers engaged in the industry in Canada, to those countries to find out how our competitors did their work, and how it was that the industry flourished in Denmark and England, while it did not seem to flourish in Canada. I felt that the swine industry is of such vast importance to the farmers and to the country, that anything we could do to stimulate it in Canada, would be money well spent. One officer of the department, Mr. Spencer, was sent as secretary, to edit the report with other men who were themselves actually engaged in the raising and fattening of swine. Mr. Ballantyne, of Ontario, Mr. Garceau, of Quebec, and Mr. Sinclair from Prince Edward Island, representing the maritime provinces. They went there, and you saw the result of their visit. Evidently from the demands for the report, it is a report that has received acceptance, not only at the hands of the people of the country, but also at the hands of the members of the House.

At one o'clock, House took recess.

House resumed at three o'clock.

Mr. FISHER. Mr. Speaker, when the House took recess I had given an explanation of the work of the commission which went to Denmark and the old country to investigate the swine industry. I do not think I need enlarge on that matter further unless hon. gentlemen opposite wish me to. There is, however, one feature of the work of the live stock branch of my department which I must say a word about. I refer to the establishment of books of record for French Canadian horses, and a reference to that matter is due especially to my hon. friends from Quebec who are particularly interested in it. There had been a record established in Quebec of what is known as the French Canadian horse, much in the same way as the record for French Canadian cattle had been established. When the national records were established in Ottawa, these as well as other local records were brought under the consideration of the department and of the National Live Stock Association. The records of the French Canadian cattle were accepted without hesitation as national in their character, but in the case of the French Canadian horse the officials of the department and those interested in the matter themselves were not satisfied with the existing conditions. Conferences took place between the Breeders' Association of the province of Quebec, and and the officers of the department and myself, and an agreement was come to by which the character of the records of the French Canadian horse already existing were thoroughly sifted. A commission was appointed of well known horse-breeders as well as some officers of the department to deal with the matter, and that commission instituted a new record for the French Canadian horse. It was found that a very large number of animals had been formerly listed which did not come up to the standard as pure-bred, and consequently the new book opened with a fewer number of horses on the registrar. This entailed some hardship upon individual owners, but in the interest of the industry at large and of the producers of these animals in the province of Quebec, it was decided to take that course no matter who suffered. I wish to say that it is greatly to the credit of those interested in the breed of French Canadian horses that they were satisfied to make the sacrifice in order to establish on a firm basis that breed of horses. The French Canadian

breed of horses is pretty well established in the province of Quebec, and is now spreading into other parts of Canada and the United States. It is a valuable breed and I believe that the breeders will be enabled through the medium of this new record to realize in future handsome profits.

May I say a word on the question of the cattle embargo in England. This does not come within the scope of the work of my department in Canada, but my hon. friend (Mr. Armstrong) has referred to it and I think I should answer him. The cattle embargo in England was established by the English people and it is purely a matter of their own concern. Representations have been made by the former Conservative government and by this government from time to time since it has come into power, as to the injustice and lack of necessity for this embargo from the point of view of protecting the health of the animals in Great Britain. So far as the existence of any cattle disease in this country is concerned I have no hesitation in saying that the embargo in Great Britain to-day and for many years past has been unnecessary. Still, the British people have the right to take all the precautions they deem necessary in the interests of their live stock and it is not for me or the people of Canada to teach them how to administer their affairs. We have to accept their regulations, just in the same way, as if, were the conditions reversed they would have to accept any regulations we might impose.

Mr. W. H. SHARPE. What are the regulations?

Mr. FISHER. In brief: That all horned animals coming into England from abroad must be landed at certain specified ports where there are lairages and slaughtered there within 10 days of arrival. I may say that at the present time only animals coming from the United States and Canada are permitted thus to be landed. Argentine had that privilege, but it has been taken away and I understand the government of Argentine is negotiating with the British government with a view to the privilege being restored to them.

Mr. W. H. SHARPE. If we had a cold storage system in Canada would our products be held up just the same, and inspected?

Mr. FISHER. This has nothing to do with cold storage. The embargo provides that the animals shall not be distributed alive throughout England, but when they are killed the meat may be sent anywhere.

Mr. ARMSTRONG. A few years ago the Committee on Agriculture passed a resolution asking the minister to confer with the Ministers of Agriculture in the different provinces and endeavour to find a means to have this embargo removed. Would the minister give his reasons for paying no attention to that resolution from the day it was passed until the present day?

Mr. FISHER. My communication with the imperial authorities on this question and my knowledge of the opinions of various Ministers of Agriculture in England, leads me to believe that it would not be dignified or proper for the government of Canada to take any further steps until there is a change of view on the part of English statesmen. I do not think it would be consistent with the dignity or the interests of the Dominion that we should go on our knees and appeal to the imperial authorities, or undertake to censure them for a course which it is undoubtedly within their right to take. The feeling of the people of Canada on this subject has been officially expressed to them over and over again, and the replies have been such as I think make it impossible for us to deal further with that matter until such time as a different expression of opinion comes from the authorities in England. I may say further that within a year and a half there has been a most positive official statement on the part of the English board of agriculture that the embargo must remain. Under these circumstances I think it would be unwise and improper for us to take such steps.

I propose now to say something about experimental farms. The policy of the experimental farms was first adopted in 1885-6, and made a work of the Agricultural Department. I have already expressed in the highest terms of commendation what I considered to be but justice and fairness to the Minister of Agriculture of that day, and to the government and the party who established the experimental farm. I have said a few words in regard to the work, the extraordinary work, the highly important and very successful work, of the director of the farms in the original organization of the establishment and its continuation up to the present time. I would also like to say here that Dr. Saunders has been assisted and surrounded by a body of men on the experimental farms who have devoted themselves to this work with great self-sacrifice. For many years they did their duty at salaries which were not in any way commensurate with the salaries of other officials who were doing what I do not think it is improper to say was less important work for the Dominion

of Canada. There had been very little recognition of that work for many years. Soon after I came into the office I felt that the time had come to increase their salaries and make some substantial recognition of the value of the work of those officers at the experimental farm. That has gone on to a considerable extent. I make no apology for that, I know the House has endorsed that action over and over again, and I am proud indeed to say in this House that the work done in the interest of Canadian agriculture has been fairly well recognized as of the highest character and as the greatest honour. I am glad to say that to-day the status of the men who are doing this work on behalf of the people of Canada, has been improved, and that to-day they occupy a position as honourable before the country as that of any other officials in the employ of the government. I think this is but due to them, and parliament has done no more than its duty in treating them in that way.

Now I want to say a word or two in regard to the expansion of the agricultural farm system. It has been the natural and legitimate consequence of the increase of the agricultural interest in this country during the last fifteen years. At the time I came into office the staff was perhaps quite equal to the demands upon it. It is true that just at that time Prof. Robertson, who had been appointed dairy commissioner at the experimental farm, had been removed from that position and placed in another position. The consequence was that there was no agriculturalist at the farm at that time. I thought it was necessary to have one, because, aside from the scientific work of the horticulturist, the chemist, the botanist and entomologist, it was very necessary to apply to the common agriculture of the country the scientific truths and discoveries which were made by those other officers. Very soon after I assumed the office, I think about 1899, I appointed Mr. Grisdale as agriculturalist at the farm. This was but a continuation of the policy that was adopted when Prof. Robertson was appointed; Prof. Robertson having been removed, there was a vacancy, and the appointment was made. I can say without hesitation that the result has been very satisfactory to the general work of the experimental farm. In the first place, the actual general work of the farm here has been somewhat changed; it has been divided up into a purely agricultural dairy farm and an experimental farm. The experimental work goes on on some parts of the farm. There are 200 acres of the farm turned into a simple dairy farm such as might be in any part of the country. That work has been going on satisfactorily. I think it was begun in 1901 or 1902, and has reflected great credit on the agriculturalist who has been managing this work. I would like to give a few figures in regard to the production of the farm to-day compared with what it was before that work was undertaken. It is the same farm and the same land. I may say that since this work was undertaken there has been no manure bought and put upon that 200 acres.

Total Crops on Central Experimental Farm.

		1896.		1909.
Corn and roots	Tons.	587		1,178
Grain—				
Wheat	Bush.	129		
Oats	"	3,019		
Barley	"	801		
Peas	"	198		
		4,147 bush. (Chiefly oats.)		3,238
Potatoes	Bush.	505		2,299
Straw	Tons.	160	(Est.)	145
Hay	"	134		176
Green feed	"	35		70

Certainly a very handsome increase, and denoting a substantial improvement of the land. I would say that the results show a profit of $573 in the case of swine alone this last year. Now I feel this is an important advance, and one that is of greatest value to the farmers. This is a work that can be taken as a model by the farmers generally in most other parts of Canada, regard being had of course to difference of climate and conditions. I may add that in numberless instances where Mr. Grisdale, and others have spoken to gatherings of farmers, usually of the leading farmers of the locality, they have imparted information of the highest practical value to the agriculturalists, who have shown their appreciation of their efforts. At the same time all experimental work, pure and simple, has been going on on a larger scale. There is a considerably larger staff now than there was then. There are to-day thirty-nine men above the labouring class on the farm as compared with twenty in 1896. The whole staff is sixty-five to-day as compared with fifty in 1896, but of the higher class men, men who are doing work in the way of experiment, in the way of investigation, in the way of spreading the knowledge that is acquired amongst the people, there is an increase of nearly double while the whole staff is only increased by about 27 per cent. The total wages were $17,000 in 1896, and $25,890 in 1910. In addition to the agriculturist, whose work I have just lightly touched upon, we have appointed a new officer in the person of Dr. Charles Saunders as cerealist. Dr. Charles Saunders has been conducting a large number of experiments, most satisfactorily, and successfully with regard to the cereal crop of the country, and has gone into the details of hybridization, and selection of seed to show the value of certain new varieties, the use of which amongst our farmers we hope will add very considerably to the production

and quality of the cereal crops grown in Canada. In that connection I have to say that Dr. Charles Saunders, as is known to the members of the Agriculture Committee, has made extensive experiments in testing the quality of wheat not only by chemical, and other processes, but also in practically grinding the grain, making the flour and baking the bread. In this way he has been able to show that certain kinds of grain and wheat are better for bread production than other varieties, and has been able to spread amongst the people of the country that knowledge so as to guide the farmers in the variety that they shall sow, information which I believe to be most useful to them, and as a result of which they will be able in the near future not only to increase the quantity of the wheat production of Canada, but also its quality, and add to our advantages as the granary of the whole world.

Mr. SPROULE. He has been carrying on that work for nearly twenty years.

Mr. FISHER. My hon. friend interrupts me by saying that he was carrying on that work nearly twenty years ago. In the first place Dr. Charles Saunders was not appointed to the farm until seven years ago.

Mr. SPROULE. Dr. Saunders.

Mr. FISHER. Dr. Saunders was not conducting any experiments of that kind at all. Dr. Saunders was doing some hybridization in fruits, some selection of grain, but the work that is now being carried on was not begun until Dr. Charles Saunders was appointed. Dr. Saunders, I have no doubt, would have been very glad to do it, but he had not time with the multiplicity of other work that he had to do. Dr. Charles Saunders was especially appointed to take charge of this work. I am not saying anything against the work that Dr. Saunders did before, but there were not sufficient men available at the farm to do the work as it has been done since the appointment of Dr. Charles Saunders.

Mr. SPROULE. Is the minister not aware of the fact that nearly twenty years ago bread was brought to the Agriculture Committee, and shown to the committee as the results obtained by using different kinds of wheat grown in Canada. For instance, there was Ladoga wheat, and we were told that it was not wise to cultivate that variety, because it made yellower bread than other varieties. We had the bread shown to us. The wheat had been ground in the mills, and we were told how much flour the baker got out of it. That was all brought before the committee twenty years ago.

Mr. FISHER. Quite true to a limited extent, but the work that was done then was done outside and away from the farm. The bread was baked by ordinary bakers and the test was made in that way. To-day it is all done under the supervision of a scientific man who has facilities, bakeries and every condition which will enable him to obtain accurate knowledge as to the results. I am not depreciating what was done before, but I am pointing out that a new officer has been appointed for the special purpose of carrying on this new piece of work. In addition to that, just lately, unfortunately, our long-time and most valued officer, Dr. Fletcher, entomologist and botanist at the experimental farm, passed away. He had been for many years botanist and entomologist, he had done most valuable work, but he had been overburdened with work, and a good deal of work which might properly have been done in the interest of agriculture by the entomological and botanical division had not been overtaken and could not be overtaken by Dr. Fletcher or by any person else. So that, when a little while ago, Dr. Fletcher, to the great regret of everybody, passed away, I thought it would be my duty to get two officers, one a botanist and one an entomologist, to take his place and start the work in two divisions. The result is that we have now an extra division there. I may say that while Prof. Shutt, the chemist, in the old days, had one assistant, he has now two and another, not a scientific assistant, as well; that in those days, while Mr. John Craig had no assistant of any kind, Mr. Macoun has now his stenographer and typewriter, which relieves him of a great deal of work that Mr. Craig had to do. In Dr. Fletcher's department there was one assistant at that time to the botanist. To-day, Mr. Hewitt, the new entomologist, has two assistants, and Mr. Güssow, the new botanist, has two assistants, adding to the scientific and experimental staff of the farm in most important ways.

Then, may I say a word with regard to some expenditures that we have made at the farm itself? One of the first things that had to be done was to provide for necessary laboratory and chemical work. Years ago, after I came into office, the laboratory was burned. It then occupied a couple of rooms in the office building. Instead of refitting those rooms it was thought best to erect a new laboratory, and a considerable sum was spent in putting up and establishing a chemical laboratory, in which for many years past the work of the chemist and his staff has been carried on and which contains all the fittings and appliances necessary for the kind of work which they are doing. A little while afterwards additional buildings were put up for the sheep which were added to the farm stock in the period I have spoken of. A building for roots and implements was

erected, and later on a horse stable was built of a very fine character, which, I think, would serve as a model for any farm in the country. Comparatively recently the stables in the big barn of the experimental farm have been entirely refitted. When they were originally built they were built without that knowledge which has been arrived at in the course of the last twenty years in our agriculture and live stock work. The kind of accommodation for cattle that we had there, which should be a model for farmers, was very severely animadverted on by farmers who came to visit the farm. I am glad to say that to-day that stable can be taken as a model. It is well ventilated, has plenty of air, no bad odours, it is convenient for the work, convenient and comfortable for the animals, is kept clean and in every way is an object of admiration. In addition, there has been a building put up to accommodate the horticultural work. In the old days when Mr. John Craig was horticulturalist, he had only a little office, but when Mr. Macoun took charge and as the work expanded it was found necessary to provide more extensive accommodation, and we have now a very good horticultural building. We also have had to add to the office accommodation to serve the increased staff who now have good and sufficient rooms for their valuable work.

I come now to the question of the branch farms. I am sorry my hon. friend from Souris (Mr. Schaffner) is not here, because some time ago he questioned me with reference to this matter. I have observed, as others have, that wherever branch farms are in existance they have had an excellent influence on the agriculture in their vicinity. Indian Head is one of the best wheat producing districts in the Northwest, and over and over again the work of Mr. McKay on that farm has been highly commended. The same is largely true of Brandon. With the desire to have the same kind of improvement in other parts of the country, we thought we should add to the number of branch experimental farms and several have been established. The first was at Lacombe, in North Alberta, the second at Lethbridge, in South Alberta, and the third at Rosthern in northern Saskatchewan, and more recently another was established in Prince Edward Island, as the people there thought they could not make use of the experimental farm at Nappan in Nova Scotia. Within the last few days, I have acquired another site for a station in the north part of Saskatchewan. For some time past I have had an officer of my department examining the different districts, and I believe I have now a knowledge of the needs of the particular localities throughout the country, which enables me to say that during the coming season, I shall be able to fix upon some five or six more branch stations. I want to speak on one feature of this project, which I think is of the greatest importance. The old branch farms were established on the basis of large buildings and equipment, a large staff, and the maintenance of quite a quantity of live stock. I want to say one thing in connection with the agriculture of Canada, which I would like should attract the consideration of the people generally. So far as our general agriculture is concerned, we have made greater advances in dealing with our live stock and in the utilization of the products of our land than we have in the cultivation of land and the production of crops. In the best parts of Ontario, there are a large number of first-class farmers who are not only good stock men but good cultivators of the soil as well. But, if we examine the reports from the other parts of Canada any unprejudiced mind must conclude that in view of the fertile soil which spreads all over this Dominion, and the intelligence of our people, the annual crop production per acre is not what it ought to be. I believe that is due to the fact that scientific methods of cultivating the soil and the treatment of land are not thoroughly well understood by our people generally. To instruct and teach the people, object lessons are of the primest importance. If those who live in a particular district can go to an easily accessible central point and there see illustrated the result of good management of the crops and of scientific treatment of the soil, they can learn more than they can by any amount of reading and oral instruction. It is therefore highly important that the number of branch stations should be increased. Now, if each of these stations were to cost $25,000 or $35,000 the appropriations I ask from parliament would not enable me to establish any great number. It is my belief that we should establish comparatively smaller stations and deal simply with crop production, and not include stock experiments to any great extent, if at all. After all, the experiment of feeding stock indoors is very much the same in one place as in another, and the results obtained will serve the industry in all parts of the country. But, experiments in the treatment of the soil and the production of the crops must be conducted in as many different localities as possible, and they must be shown on the land in as many places as possible. I am therefore trying to establish a very considerable number of branch stations of this character where we can show the actual application on the land of the science which has been adduced from successful experimentation. This is a new principle in the establishment of these branch farms, which I trust will appeal to the House as I know it will appeal to the farming people of Canada.

Mr. G. TAYLOR. Has the minister abandoned the chicken fattening stations he established all over the country and which proved such an utter failure.

Mr. FISHER. These fattening stations were successful in proving what good results could be obtained in the poultry industry, and the fact remains that where, before the establishment of these stations, it was a rare thing to find poultry meat in Canada properly fattened, the reverse is the rule to-day. These chicken fattening stations having accomplished their mission, it is no longer necessary to maintain them. I am well satisfied with the results of our work in that direction. I will not go further into detail with regard to the establishment of these branch stations. When I mention them I notice that the hon. gentleman opposite as well as hon. gentlemen on this side of the House are all very eager for the establishment of a station in their own particular neighbourhood or county. I accept that as the very highest compliment that can be paid to the experimental stations scattered throughout the country, and I will, as far as possible, try to meet the demands which are reasonable and fair and in the interest of the country at large.

Mr. CROCKET. The Minister has mentioned a new station in Prince Edward Island and several in Alberta and Saskatchewan. Is it proposed to put any station in the province of New Brunswick? I think it is about the only province in the Dominion that has not an experimental farm.

Mr. FISHER. I think that is pretty nearly true. When the system was first established a branch farm was put at Nappan, which was just at the border between New Brunswick and Nova Scotia, but on the Nova Scotia side. That farm was expected to serve the purposes of the three maritime provinces. It does serve the purpose of the eastern part of New Brunswick pretty well. The Prince Edward Island people complained that they could not reach that farm very easily and the Prince Edward Island government offered a farm near Charlottetown for us to work on a nominal lease for a number of years. We were glad to accept that offer. I hope before long to be able to investigate the possible sites for a station such as I have been describing in the more westerly part of the province of New Brunswick, inasmuch as I think the Nappan station serves fairly well the eastern part of the province.

I want now to say a word or two with regard to one of the branches established by Prof. Robertson at the time he ceased to be agriculturalist at the experimental farm. At that time he was appointed Dairy and Agricultural Commissioner. At first his work was largely what it had been before, the education and stimulation of the people connected with agriculture in Canada in the direction of improvement. But he found that certain work was needed in dairying, his first special subject, and he took up that work. I will not go into details, but I am sure that hon. gentlemen opposite will be glad to hear that Prof. Robertson was much impressed with the necessity of cold storage accommodation for the transportation of our perishable food products. I am quite sure that with his knowledge, his powers of persuasion, his acquaintance with all the interests of our country, he would have been able to persuade the ministers of the Conservative party, if they had remained in power to go on and do more than they had done in connection with cold storage. He was able to persuade them to make a beginning, which was unfortunate in its details, which I will not go into now. When I came into office Prof. Robertson was one of the first to urge me to take the matter up on a larger scale and to do more than had been done. It happened that I personally had a good deal to do with dairying, being a dairy farmer, and I knew the situation, I knew what Prof. Robertson had been saying publicly and privately, for I was an intimate friend of his before I became minister, and I was only too glad to meet his views and to take active steps to give them practical effect, and the well known and much discussed cold storage policy of the department was the result. But there was one matter which had to be taken up of the most prime importance in regard to all our work, although it is not very much understood in the country, that is, the inspection of the handling and transportation of our agricultural food products in the course of their shipment from Canada to our great export market, Great Britain. In the old days our agricultural products of whatever character, delicate and tender like butter, or less delicate and tender like fruit and cheese and meats, or the coarser products like grain and flour, were handled in the crudest and roughest ways by the transportation companies. Complaints were universal on the part of shippers and owners of the way in which their products were deteriorated in quality on their way to market. It was obvious that we must take immediate steps to see what could be done, and we very soon established a system of inspection or supervision in the handling of our agricultural food products in their transportation from the producing point in Canada to the consuming point in Great Britain. This had to be done gradually. We had no authority or power over the transportation companies; we had no power over the wharfs in Great Britain where our products were landed. We could

only persuade, we could only advise, we could only use such authority as a department of the government naturally would exercise.

I cannot resist telling you an incident which occurred in the very early days to illustrate this. I went to England to meet the people who handled our products—the produce dealers of Liverpool, Manchester, London, Britsol, Glasgow and other places—in order to gain information, to find out what they thought of our products and what complaints they had to make. Amongst other things, I found at Liverpool a condition of affairs which surprised and pained me. Frequently Canadian butter would lie on the wharf at Liverpool for days in the hot sun, and our goods would be handled otherwise by the wharfingers in such a way as to bring a poor price in the English market. I may say, in justice to the Englishmen, that they were not any worse than our people in Montreal or St. John who handled our products and put them on board ship; but they were just as bad. I pointed that out to a meeting in Liverpool, where the produce dealers gave me a luncheon, and expressed the hope that they would improve their management. The Englishman does not like criticism and advice of that kind, and I was pretty severely reprimanded for having dared to say such things. I was invited to the office of a certain gentleman—I do not hesitate to give his name—Mr. Jones, who was at the head of one of the largest shipping concerns in Liverpool. We got chatting in a friendly way, and he began to criticise what I had said, saying that of course it did not apply to his business—at any rate, that they were doing the best they could, the best that it was necessary for them to do, and that of course they were going to go on just as they had begun. As I was his guest, I was of course very polite and friendly, but I could not help saying that his firm, unfortunately, was subject to the same reproach as others, and in some respects was a little worse, because the reports to me had been that this firm was very bad indeed in the way it handled our goods on their arrival at Liverpool, and that their agents at Montreal were pretty bad, too. He assured me that I was all wrong, and that at any rate, he was going to go on as before. Well, I said, Mr. Jones, there is only one alternative, and that is to tell the people of Canada what the conditions are. He said: You will not dare to do that. Oh, yes, I said, I will. It is my clear duty, and what is more, it is my clear duty to tell the people of Canada that your ships do not handle our goods as well as some others do. He said: You won't dare to do that; it is not the proper thing for a minister to do to discriminate. I said, excuse me, I appreciate my position and that it is my duty to tell the people of Canada where they can get the best service, and to see that they have an opportunity of getting the best service. I left him and came back to Montreal, and a month or six weeks afterwards Professor Robertson and I went to a meeting of produce men in Montreal, and I told them what I had told Mr. Jones, and I told them if they wanted to have their goods handled badly, they ought to send them by Mr. Jones' line. I got next day a cable asking me if a report of what I had said was true. I replied, yes it was true, and that I was prepared to repeat it if he did not change his methods, and I found next day from his officers in Montreal that they had received instructions to comply with the requirements of the Canadian Minister of Agriculture.

Mr. ARMSTRONG. What year was that?

Mr. FISHER. That was in the year 1898, I think. It may possibly have been in 1899.

Mr. HENDERSON. Will the minister excuse me? The year in which you found butter was lying on the dock in Liverpool for 11 days after landing, was under the regime of the hon. minister?

Mr. FISHER. Yes, quite so.

Mr. HENDERSON. I thought you were reflecting on your predecessors.

Mr. FISHER. Not a bit. My hon. friend is so possessed with the idea that one party is not doing so well as another party, that he cannot get away from it.

Mr. HENDERSON. I would just say to the minister that I learned all that from the Minister of Agriculture.

Mr. FISHER. Well, I am sorry the impression I created was so contrary to my desires. I think I have given this afternoon and this morning a full appreciation of a great deal that was done in the Department of Agriculture before I had anything to do with it. I think my hon. friends opposite will do me that credit. I have not given to anything I have done myself half the praise that I have bestowed on Mr. John Carling and Prof. Saunders in connection with the establishment of the experimental farm. I have explained as far as properly as I can, and I am sure my hon. friend from Halton (Mr. Henderson) will acknowledge that I have given a sketch which is free from party bias and which has been a mere statement of facts in connection with my predecessor's as as well as of my own work. Mr. Speaker, that was the beginning of work which I think was of the greatest importance to the Canadian export trade in agricultural products. We produce first class stuff here of all kinds. We are improving in the production of it, and it is differently

handled from the way it used to be handled not by the government, because the government has nothing to do with it, but by the transportation companies. Our good stuff would not get the prices it is entitled to get in the English market, if it were not for our system of inspection. It is required not only in Canada. It is required on the ships of Canada, on the railways as well as on the docks and wharfs. It is required in the packing houses of Canada, it is a rigid system of inspection by which we do not undertake to force or coerce, but to educate, to appeal and to persuade the people to do what is right in the interests of the country. I believe that is better than coercion where it is available and effective, but I do not hesitate to say that where I find that people are not open to persuasion, I have not hesitated to ask parliament to give me the power to coerce, and when I have had that power given to me I have tried to exercise it fairly, justly and reasonably, so as to accomplish what is necessary in the interests of the whole people of the country, and especially in the interests of Canadian farmers and agriculture. I wont go into the details of that work where butter and cheese and fruit are shipped under inspection and by the refrigerator car service to the wharfs and ports of Canada. It is a system which supervises and looks after the conserving of goods in the ships at Montreal, Halifax and other ports. We have officers on the docks in England to report everything that goes on there, that is detrimental to our trade. I am glad to say that after years of education, and persuasion, after the occasional exercise of coercion, we have got a vastly improved condition of affairs, and I have the testimony which has already been placed before the House on various occasions, but which I wont detain the House with now, showing that one of the most important things that have been done to facilitate the business of the agriculturalists of Canada and elsewhere, is the system of inspection by reason of which it is rare to find our goods arriving in the motherland in bad condition, whereas, 15 years ago, it was rare to find them arriving there in good condition. Now I will leave that. I want to say a word or two with regard to some of our dairy work. My hon. friends opposite are so touchy, that I do not want to talk of the cool curing of cheese, which they have always thought was a very bad thing, and all that, although our dairymen appreciate it, and take advantage of it. I wont undertake to say much about the experiments in the aeration of milk which took place last year and the year before, and the result of which is going to revolutionize the cheese making industry. I wont say anything about some experiments with regard to butter making in Canada which I hope will bring good information that will help our people in that regard. But I do want to say a word as to cow testing, as I think it is one of the most important things we have encouraged in this country, and one which I trust will lead to most important results. One of the most glaring facts in connection with the insufficient realization of the proper profits on our farms in Canada, is the small average production of the cow. Those of us who have studied this question know that in Denmark and Holland, 15 or 20 years ago, they were in about the same position in this respect as we are to-day, but by a thorough system and co-operative work and testing the individual cows, by cutting out the bad one and keeping the good one and only breeding from the good ones, they are gradually and steadily increasing the average production and have reached the point that the cows of Denmark produce more than double per year per individual cow, than the cows of Canada. Now this is a very unfortunate, a very bad condition of affairs. We knew this a few years ago, and we have been trying to induce our farmers in Canada to make some kind of co-operative or individual test as the Danish and Dutch people have done so as to bring up the average production of our cow. It was up hill work. It requires on the part of the people, a good deal of manipulation and experiment, and we had to get information to show them what the result would be. We had to make experiments. We had to get individual herds and even go so far in some instances as to make some tests ourselves before we could lay before the farming community, the dairyman especially, information which would stir their imagination and make them adapt their methods to these facts.

We got those facts, we laid them before the people, and the people to-day have begun to digest them and to act on the advice founded on these facts. The result is that to-day we have in Canada a very large number of dairymen and farmers who are testing their cows. We have a large number of herds, the records of which are known and published, and other people, by the success of those who have begun early and have done the work carefully, are to-day incited and induced to do the same work. It is one part of that reward one gets for somewhat discouraging and somewhat long passing through difficulty and doubt, that we often experience in bringing about reforms in agricultural subjects, that during the last season the effects were so striking, the success so great where it was undertaken, that this year we have a great number of applications for cow testing associations. I am satisfied the system is on the high road to success, and

that in the near future the great mass of Canadian dairymen will be doing this work. There is no reason to believe that in a few years the Canadians will not be able to say that the average cow production in Canada is what the Danes produce, 7,000 pounds a year for every cow in the country, instead of the Canadian average of 3,000 pounds a year. If we can do this, I think all the expenditure, all the labour, all the intelligence that has been bestowed on dairy work in Canada would be abundantly justified and rewarded.

Mr. Ruddick has also had charge of the cold storage service of the government. This has been increased of late years by the passing of the Cold Storage Act. We have now to look after not only the refrigerator cars and the cold storage on ships, but also the subsidies to cold storage warehouses established under the Act, which require additional work and expenditure.

We have also the fruit division of our work and the administration of the Fruit Marks Act. The transportation of fruit is largely connected with our cold storage system; it was thought better to have it all under the one commissioner, and so we have not a special branch, although we have a special division in regard to fruit. I shall not go into the work of the department in connection with fruit growing. The Fruit Marks Act has been often explained in the House and is well understood. It was passed in response to a demand of exporters and people interested, who recognize that Canadian fruit had a bad reputation. They wanted to secure that Canadian fruit would be properly packed and shipped, and the Fruit Marks Act provides a law for that. We have to administer that law. I am sorry to say that although there is an improvement, there is not the improvement I would like to see, and we have to still occasionally prosecute, to still coerce to a certain extent where I would prefer to persuade if the people would be guided by the persuasion.

A word in regard to some work instituted by Mr. McNeill, head of the fruit branch, which points in the right direction, that is the encouragement and establishment of fruit growers' or shippers' and packers' associations. One of the greatest difficulties our fruit growers in Canada have experienced is that their work is largely done by each individual, and that one individual has not enough fruit to fill large orders or to make an impression on the market. By forming an association, a group of people in a particular district can get together and employ one efficient and competent expert packer and grader, who will grade and pack their fruit so that in the aggregate the fruit which is thus handled in co-operation amongst a number of people will bring in a larger return and be better accepted and received on the market than fruit sent forward by the individual. This work was started in the southwestern part of Ontario by Mr. McNeill some years ago, and to-day, I am glad to know, there are a number of such associations working most satisfactorily and most successfully. It is work of the department in one sense, because we indicate the road. It is work of the people themselves, however, and it can only be successfully carried on by the co-operative work of the people combining together, mutually trusting one another, associating themselves for combined work and carrying on the whole thing as a business transaction in a business way. I am glad they are doing it successfully as it is an important work for the improvement of the fruit trade of Canada.

Another part of the work which Professor Robertson had in charge, but which I found it better to assign to a special division when he left, is the work of the seed division. That division is under Mr. Clark the seed commissioner and carries on several kinds of work. We passed the Seed Control Act a few years ago. That resulted from the investigations of the seed commissioner, Mr. Clark, and the work of his subdivision. Mr. Clark found the condition of the average trade in agricultural seeds in Canada to be deplorable. A large portion of our people were buying seed that did not germinate and consequently they had to buy a great deal more than they needed for proper seeding and they were also buying seeds that contained the seeds of noxious weeds. These spread weeds over the country. That is easy enough under any circumstances. This is a large country. In some parts of the country one weed is prevalent which is not found in another part. The result of carrying these seeds from part of the country to another has contributed to the introduction of seeds not native to any one part of Canada from other parts where the seed was produced. We have also introduced into this country a large number of weeds foreign to the country. These were in many instances introduced by the seed bought by men who were enterprising, who wanted to get good seed and who went away from their own neighbourhoods to get it. They did this, however, without any opportunity of knowing what they were buying, without any facility for investigation and without any thought or knowledge of the results. We showed to the country and the people that the average seed sold in many parts of Canada was infested with weed seeds, would not germinate and would not grow. The result was a demand for some control of this business. That I think is a proper demand and a legitimate action on the part of the parliament of Canada because

although in ordinary trade matters the old maxim 'caveat emptor' prevails, in matters of this kind the buyer cannot protect himself, he has not the knowledge, the training, the facilities, or the laboratory by which he can examine the seed he is buying and know whether or not it is what it purports to be. It is true that many old and experienced farmers can take up a handful of seed and say whether or not it is good seed, but I venture to say there is not a farmer in Canada to-day who can take up a handful of seed and can look at it and state whether it would germinate or whether there were weed seeds in it. That can only be told by laboratory examination and testing. What I have said is no reflection on the farmers of Canada. It is impossible that men by ordinary inspection can possibly tell whether the seeds they are buying will grow or not.

I am sorry to say that in many cases in Canada they have the bad as well as the indifferent. We still continue, besides the administration of the Seed Control Act, to spread abroad amongst the people information in regard to weeds and in regard to seeds. Let me say a word in regard to weeds. We are still watching for new weeds, we are still warning the farmers when new weeds appear. We issued a little while ago a well known book called the Weed Book, in which vivid pictures beautifully executed and coloured are displayed of all the noxious weeds known in Canada. We spread that throughout the country for the purpose of giving the people instruction and information, so that they can recognize the weeds when they find them in their fields. It is not a very easy thing for a farmer always to know what a strange plant is that he sees for the first time in his field. If it is a weed you may be sure that the picture of it he will find in that book will show him what it is, and what its nature is. That book has been asked for from all over Canada, from one ocean to the other, by everybody interested in agriculture. My only regret is that we have not been able to distribute it as freely as I would like on account of the cost. The first edition went out, the second edition went out, and although each edition consisted of 25,000 copies, I have no doubt that in a short time we will have to publish a third edition and perhaps a fourth, because the people of this country are aroused on the question of weeds in their fields, and are determined to fight them. They all say that the book is not only a credit to the book-makers of Canada, but it is an exceedingly useful publication.

We are also administering the Seed Control Act. This is a little difficult, but we have been trying to do our best. I must say in all sincerity that the seed merchants, and especially the wholesale seed agents, have been helping us and helping us in the enforcement of the Act. Sometimes some of them fail, sometimes we have to prosecute individuals, and sometimes bad seed is sold. But the proportion of bad seed sold to-day is infinitesmal in comparison with what was sold before the introduction of the Seed Control Act. Now the administration of this Act takes money, and I am asking for $50,000 for the ensuing year. I venture to think that if I asked five times that amount the work that is being done would justify it. But with the present sum I think we will be able to accomplish the work of instruction and properly administer this Act.

A year ago we passed an Act in regard to commercial food stuffs. I have had a good many representations made to me, especially from the province of Ontario, saying that these food stuffs contain a good many weed seeds. I think that is partially correct. I fear there is a great deal of weed seeds distributed in the food stuffs, and we have been making investigations. I am not certain yet that we have a remedy under the Commercial Food Stuffs Act, but if we have, I think it ought to be put into force. I am told that the question is largely mixed up with provincial rights, it is one of those questions that it is hard to deal with. In the laboratory last year we tested something over 6,200 samples of seeds for the purpose of determining whether they were germinable or contained noxious weeds.

Now, one word in regard to a subject that will enlist a good deal of sympathy, I am sure, among many members of this House as well as throughout the country, and that is the subject of tobacco. I am not myself a user of tobacco, some of my friends do use it considerably, and I suppose most of them have heard sneering remarks about Canadian tobacco. Now, without being able to speak from personal experience, I want to say a word on behalf of Canadian tobacco. This climate and this country seem to be very suitable for the growing of a good many varieties of tobacco. In the early days the province of Quebec was chiefly concerned in that product. The habitant raised his tobacco, cured it and used it almost entirely for home consumption. He did grow pretty good crops, for the area that he cultivated. In the province of Ontario, in the counties of Kent and Essex, considerable tobacco is grown. A few years ago there was a glut in the market for Canadian tobacco, because it was not cured sufficiently well to attract the purchaser, and the growers could not place it on the market. One reason was because of a prejudice against it, I think I may say prejudice, rather

than judgment, against Canadian tobacco. Knowing the situation and believing this was a crop which could be raised advantageously in Canada, I made some investigation, and I found there was nobody in Canada, so far as I could ascertain, who was able to grow and cure tobacco according to the best scientific methods. I, therefore, took it upon myself to send to France, where they have a very large branch under the government doing that kind of work, and where they have a lot of scientific men studying the culture of tobacco and the best methods of treating it. I was fortunate enough to secure a very competent, skillful and well informed gentleman named Charlan, who was first sent to Canada by the Department of Agriculture of France. Mr. Charlan came out here, and before long he showed himself so thoroughly competent that I asked him to stay. After a little hesitation and some communication with his home, he resigned his position in France and became a permanent member of the Civil Service of Canada. I am glad to say that he has quite justified his appointment. I will not go into details, but I venture to say that the prejudice which existed a few years against Canadian tobacco has practically disappeared amongst all the people that have tested it. I do not deny that there are many people still who won't use it, there are people in Canada still who say that Canadian tobacco is no good, but these people have refused to test it. I know that a good many people who talk sneeringly of Canadian tobacco are smoking Canadian tobacco every day they smoke. As a matter of fact to-day, a very large proportion of all the cigars that are smoked in Canada are made in Canada of Canadian tobacco, and some of the highest priced cigars sold in Canada are made in Canada with Canadian tobacco in them. Perhaps the dealers and manufacturers do not like to acknowledge that, because they are still under the influence of the prejudice of consumers. But as a matter of fact, we have been able to show that we can grow tobacco and put into the hands of the manufacturers, either of plug tobacco or of cigars, tobacco that will make the finest quality of plug and the finest quality of cigars that any one needs to have.

Mr. HENDERSON. What about the flavour?

Mr. FISHER. I am only speaking on the authority of other people, because I do not know anything about the flavour of tobacco.

Mr. HENDERSON. You ought to.

Mr. FISHER. I do not think so. With all due deference to my hon. friend, while I admire him in many ways, the fact that he uses tobacco to the extent to which he does, is one of the blemishes on his character which I regret.

Mr. HENDERSON. That is very kind.

Mr. FISHER. I say it with all kindness. But I may add that while it is a blemish on my hon. friend, it is one that we can all forgive him, and none of us will criticise him for it.

Mr. HENDERSON. I do not think the hon. minister is justified in casting any reflection on members on this side of the House for what we have said on Canadian tobacco.

Mr. FISHER. No. I did not mean to say that at all. I had reference to the people generally.

Mr. HENDERSON. I have often spoken about Canadian tobacco. They produce a good article, they grow a fine tobacco, a tobacco that will make excellent cigars and chewing tobacco that is appreciated by the people of this country, and I am not sure that they cannot produce a good smoking tobacco. The fault I have continuously found with it was that the flavour or taste of the tobacco was not congenial to people outside of the province of Quebec, and if the government could get somebody from France or some other country who would produce a tobacco with a flavour such as that of Macdonald's tobacco of Montreal, it would add millions to the wealth of the people of this country. It was with regard to the curing that I found fault and not the growing of the tobacco.

Mr. FISHER. I have no doubt that the hon. gentleman has a good deal of justification for what he says. I am not prepared to dispute that. I was not giving an expert opinion as to the quality of the tobacco, but what I stated in regard to the use, the production and the change in quality of Canadian tobacco, as stated to me by the manufacturers who make it up and by users, is, I think, correct. Now, I have reached, I think, the end and I suppose my hon. friends opposite will be glad of that.

Mr. HENDERSON. Not at all.

Mr. FISHER. I have reached the end and it has taken me longer than I intended or expected to go over the work of the department. I do not think I need detain the House longer at this stage. I hope that the intention that I started out with has become evident to all parties in the House. I did not start out with any intention of boasting, of getting any party advantage, or presenting any partisan argument. I felt, as I have felt for some years, that the importance of the Department of Agriculture was not recognized in the discussions in this House for the reason that it had never come up practically except in

committee, when interruptions, proper and right in committee, were made and when questions were put in such a way that it was not possible to make a fair or connected presentment of the work of the department. I am going to say frankly that I am proud of the work of my department, not because I am the minister of it, but I am proud of the work of my officials, I am proud of the large interests which are entrusted to the department, I am proud of the way in which the people of Canada generally look to the department at Ottawa for advice, assistance and information in the business of agriculture. I do not say that this is the case only to-day. It was the case in the old days when my predecessors were in office. I am proud of what the department does in recognition of the business of agriculture in Canada, of which I am also proud as a farmer, and I am not speaking in the slightest degree as the minister of that department. If there is one thing more than another that I think is important to Canada, it is that the business of agriculture should acquire, assume and maintain that status which is due to it in this country from its vast importance from the financial point of view and by reason of its wide spread diffusion throughout the great agricultural territory which Canada possesses. I do not want to be little or interfere with railway or canal work or with this, that or the other industry in the country, but I do venture to say, as a representative of the farmers and as a farmer, that agriculture as a science, agriculture as an art and as a business, has attained and holds before the people of Canada a proud, a recognized position and that this is due to the fact that the farmers have given up the old rule of thumb work, the old drudgery which was performed in the early days of the settlement of the new country, necessarily and perforce, and are to-day exercising a skill, a knowledge, a science, in the best sense of the word, in regard to this business which enables them to hold a proud position in comparison with every other class in the community. This being the case, I say again that I am proud of the work of the Department of Agriculture, which I think has contributed to the utmost extent that it could do to that position and success. If it has attained to that position to-day it has done so almost entirely and certainly largely through the efforts of the men who have been in charge of the different branches of the department's work, men who have been unsparing in their toil and energy, sparing themselves not at all in their work, who are enthusiastic, who have been specially trained and educated, who have been chosen with a sole view to those special characteristics which they possess and which fit them for the positions which they occupy. These men, I say are entitled to the credit, the rewards which they are given in a minor degree, perhaps, and to the position which they hold in the estimation of the people of the country, because I am proud to say that the farmers now generally look to the officers of the Department of Agriculture at Ottawa for their guidance in all things relating to agriculture.

Mr. THOBURN. I want to ask the minister a question. I had a good many applications from farmers throughout my riding with reference to samples of seed. In many cases they ask for a sample of seed grain and a sample of seed potatoes. The rule governing, I believe at the experimental farm, is that they can only receive one sample, either of potatoes or seed grain. Would it be possible to change that rule so that a farmer could get one sample of seed grain and one sample of seed potatoes? For instance, a farmer this season wants a sample of seed grain and a sample of seed potatoes, and in the event of his getting only a sample of seed grain he has to wait until next year before he will know the result of the sample of seed potatoes. It would save a great deal of time and he would profit very much sooner if it were possible to allow him to have one sample of each.

Mr. FISHER. That is a rule which can be easily changed. It would be too late to change it for this season, because the distribution is practically over. We have a great many applications for these seed samples, and we try to make them go as far as possible, but if we send a great many to one individual, we would only have to rob somebody else.

Mr. J. E. ARMSTRONG (East Lambton). Mr. Speaker, we have just listened to some three hours talk from the hon. Minister of Agriculture (Mr. Fisher), and we cannot come to any other conclusion than that he has delivered a distinctly partisan speech and, with that lack of courage that you would not expect on the part of a minister of the Crown, he sought to hide himself behind the Speaker and demand that questions should not be asked without his permission. It seems to me that he has taken the position, either of a Czar or of a suffragette—I have not decided fully which. He might as well have placed his speech on 'Hansard,' and he would have saved three hours of the time of the House, because he has simply devoted himself to telling us about the splendid work he has done in his department. No one knows better than the minister himself that he has been forced practically into almost every advancement he has mentioned by members on this side of the House. Talk about a partisan speech! He tried to show from beginning to end of his speech to-day

that since he took control of the affairs of the Department of Agriculture, between twelve and fourteen years ago, the department has been conducted more successfully than it was previous to 1896.

The minister has told us of the increased acreage held for agricultural purposes, but against his boasting we have the fact that the Minister of Agriculture for the province of Ontario has declared that the population of the rural districts of that province has decreased 61,000 in the last 10 years, and in the other older provinces similar conditions prevail. The hon. gentleman also told us that he has done his best to have the cattle embargo removed, but the official correspondence before us shows that up to a few years ago he never raised a finger in that respect. He knows that before his party came to power its leaders told the people of Canada that if they were elected to office the embargo would be removed, but to-day the embargo is in the same position as it was years and years ago. Then, this Liberal government declared that when Sir Henry Campbell-Bannerman became Liberal Prime Minister in England they would get the cattle embargo removed, but Sir Henry Campbell-Bannerman and his government have passed away and other Liberal governments have succeeded in England, and the embargo is still a fact. Some years ago, on my motion, the Agricultural Committee passed a resolution to the effect that the Dominion Minister of Agriculture together with the Ministers of Agriculture of the various provinces should go before the imperial authorities and submit to them the contention of Canada and urge for the removal of the embargo. That resolution of the committee was adopted unanimously by the House, but the Minister of Agriculture has taken it upon himself to flatly disobey that mandate of parliament. What can you expect from a minister who would act in such a way? The hon. gentleman has told us a lot about what he says he has done for the cold storage system, but he knows full well that for the seven sessions I have been here and for years before, the member for Wentworth (Mr. Smith) and others of this side have been trying to drum into his head the importance of perfecting our cold storage system and applying it to our transportation routes. The suggestions coming from this side of the House the minister has adopted to some extent, and to-day he tries to make the House believe that he was the originator of all that has been done to improve our cold storage. He has expended $600,000 or $800,000 on cold storage, but even to-day he cannot control the temperature which Canadian products are subjected to on the trains and steamers crossing the ocean. He told us that he went to England and that the people looked upon him as the great Minister of Agriculture, and he gave us to understand that he had brought them to their knees in connection with the question of providing protection for our goods once they have landed at the ports in England. I have here some remarks which I made on June 27, 1905, in this House, and I find I quoted from the report of the Department of Agriculture for that year the following:

> The bulk of the butter discharged from the steamer is removed within a reasonable time, but the balance is allowed to remain for days before delivery is taken.

He knows that our products have been allowed to remain on the wharfs in England exposed to every deleterious influence, but to-day he tries to make us believe that he has taken measures to remedy that defect. It is time we should set the hon. gentleman right. Any one who studies the subject cannot but come to the conclusion that instead of our having at the present time a broad system of cold storage that would bring the products of western agriculture to the consuming centres of England in proper condition, the antiquated sissy system which the minister has in force bears no comparison to the modern and up to date system which the Argentine republic, and New Zealand, and Australia have perfected. Let the minister himself consider this, and he must conclude that our defective system of cold storage is quite a serious loss to the producers of Canada. Then, as to transportation facilities, the minister knows full well that I have already called his attention to the fact that in 1907 freight was carried from Liverpool to New York for 7 shillings and 6 pence per ton, from Liverpool to Halifax it costs 15 shillings per ton. The hon. gentleman knows that I have frequently called his attention to the discrimination against the Dominion and in favour of the United States in the matter of freight rates on our produce. The minister must know that the farmers of Canada are paying practically $1,000,000 per annum for the privilege of sending their goods through the port of Montreal. What has he done to investigate this question and to relieve the situation? Unless we can have our products carried to the markets of the world in the best possible condition and at the lowest possible rate, we cannot expect to have the best possible returns for the farmers of this country. What has the minister done in regard to opening up markets? The great boast and cry of the men leading the Liberal party previous to 1896 was: Place us in power, and we will open up the mark-

ets of the world to the Canadian farmer; we will obtain for you the great market of 80,000,000 people to the south. Let them point to one market that they have opened up. They cannot do it, and they know it. Until a few months ago they had closed to Canada the second best market in the world, and who helped to close that market? The Minister of Agriculture boasted of his position in that respect. Let me call attention to a statement which he made on the 21st of March, 1906, in reply to an address which was delivered by a prominent apple shipper of the city of Toronto. He said:

> There is reason to believe that the Germans will in a short time seek to open negotiations, but in the meantime I think we can get along without them.

Yet the Minister of Agriculture is the man who above all others should be interested in opening up the markets of the world for the Canadian farmers. Where did we find the Minister of Agriculture in regard to the treaty with France? Was he looking after the best interests of the farmers of Canada when he allowed the only item in that treaty which would have been of advantage to them to be taken away? Instead of protesting against that being removed from the schedule, he helped to vote it through. He talked about crop bulletins. Long before he thought of issuing crop bulletins, we on this side of the House urged that policy upon him. We also urged him to let the people of Canada know what amount of money they would receive from the sale of their products in the markets of the world. He does not give the farmers of Canada any definite information as to the prices of agricultural products in the different markets of the world, because he does not want to interfere with the exporters at the port of Montreal, or the other ports. About $60,000,000 worth of perishable products are going out of this country every year; but unless we revolutionize the system of transportation and cold storage for the carriage of these goods to the markets of the world, the minister knows that our farmers will continue to lose millions of dollars every year for the lack of proper transportation facilities; and yet he will not go to work, and put into force some progressive system for carrying these goods in proper condition to the markets of the world. He talked about experimental farms, and was good enough to say that they were started by the Conservative party previous to 1896. He says he is going to change his ways and give the people throughout the country smaller experimental farms, and a greater number of them. The members of this House have for six or eight years coaxed and begged the minister to establish more experimental farms in different parts of the country, and at last it has dawned upon him to do so. He boasts of having improved the tobacco industry of this country. Who urged this upon him during every session of the last parliament? Time and again Mr. Clements, the former member for West Kent, brought to his attention the condition of the tobacco industry in the southwestern part of the province of Ontario. When we find the minister rising and taking to himself credit for all these things, we cannot help feeling that he is deserving of the severest censure for not being alive and progressive in these different matters. He tells us that the swine industry is declining. He knows that it has been declining year after year, and he has never apparently, until the last year, realized the condition that industry was in; and when he does realize it, he sends a few men across the Atlantic to investigate the swine industry in Denmark and Ireland. One would naturally suppose that they would first investigate the condition of the swine industry in their own country, and when you ask the minister why they did not, he tells us that they knew enough about it without investigating it. So the swine industry, which was formerly one of the boasted industries of this country, has been declining until to-day we hardly export any products of that industry—an industry which, in the older sections of this country, can be and ought to be developed, and there is no doubt that it would be if we had men of proper energy in charge of the Department of Agriculture. The minister tells us that the sheep industry is also declining. How many of the industries connected with this great department which the minister controls are declining year after year, when they should all be advancing with the progress of this great country of ours? He says Canada is a good country for sheep to be raised in. There is no question about that. But he says that the decline of the sheep industry may be due to the cruel dogs in this country. With regard to meat inspection, he knows the debate that took place a few days ago in this House, which went to show that the meat which goes to foreign countries is inspected, while our own people in their homes can eat whatever trash they like, and apparently the Minister of Agriculture does not care—he is not going to bring about a better condition of affairs in that regard. When our people realize that the choicest meats of our country go to foreigners and that there is no inspection of the most of the meats used for home consumption, they will resent the position taken by the Minister of Agriculture. A few years ago he told us about chicken fattening stations.

He has been spending tens of thousands

of dollars on chicken fattening stations. He was to educate the people of Canada in fattening chickens in the proper way. How did he go about fattening them? You can imagine the farmers lining up their chickens and having a squirt gun to feed them with; and the chickens which cost $1.25 a piece have only sold for 25 cents apiece. Then he invented a pair of scissors for cutting peaches off the trees. He talks about the seed branch of his department. It is an important branch, in a way, but when you take into consideration the fact that if on our 15,000,000 acres of land we were producing a bushel more per acre it would mean $10,000,000 or $15,000,000, more in the farmers pockets, it will be seen that instead of having an aggressive seed policy that would be of benefit to the people, especially in the western country, we have that policy which he has described this afternoon. The minister knows that in the western provinces hundreds and thousands of acres have to be destroyed every year by the weed Inspector because of the weeds getting too much advantage over the average farmer. What about the butter industry, I would like to ask the Minister of Agriculture? Where is the butter industry to-day? Compare it with the position it was in some eight or ten years ago. He knows full well that in the older provinces it should be developed. He tells us he is going to develop that industry, but what is the good after 12 or 14 years of waking up to a position which he should have taken many many years ago. Then take the fruit industry. He tells the people of this country through the men in his employ to get to work and plant trees. A splendid industry for the general development of this country and of great advantage to the farmer. But what do we find? If it were not for the western market to-day where would the products of the eastern provinces go to? Instead of going into the markets of the world under proper conditions and under favourable auspices, nobody knows better than the member who is likely to follow me that we are sending out only 1,500,000 barrels when we should be sending out from 5,000,000 to 10,000,000 barrels. What is responsible for it but the lack of proper transportation facilities and proper means whereby the produce of the provinces of the Dominion of Canada could be delivered in their best possible condition in the markets of the world. There is no question that they could be delivered, and there is no reason in the world why they should not be. These are merely a few of the things which I want to call to the attention of the Minister of Agriculture. Where do we find him on many of the important questions? Where did we find him in regard to mutual preference? Why, when that question was up for discussion we found the Minister of Agriculture making use of these remarks which I am anxious to place on 'Hansard,' so that you may know what position this man has taken on many of the important questions before the country. These are some of the remarks made by the minister as reported in the Montreal 'Herald' of January 27, and in 'Hansard' of April 23, 1906.

Speaking of the products of the farms of Canada on mutual preference, he said:

> If any people were to take such a statement it would be the Canadian farmers who are purchasing and selling these products, but I say, as Minister of Agriculture, that the Canadian farmers are not interested in that question and have made no such demand. In this I am sure I represent the feeling of the Canadian farmers. The people who make these statements are not the people who produce or handle these products, or the people who know the real conditions. The farmers of Canada want no preference in the English market. Now, as to our interests, I am going to say frankly as a farmer and as Minister of Agriculture, I am rather glad that England has decided not to give us a preference.

Some hon. MEMBERS. Hear, hear.

Mr. ARMSTRONG. That is the position taken by the Minister of Agriculture who knows full well that if we had mutual preference with Great Britain it would increase the value of every farm in Canada, and of every product of the farms of the Dominion of Canada, and that it would bring to the shores of the Dominion immigrants by the tens of thousands, men who are interested in agriculture, men who are ready to come and develop this country for the general benefit of the empire. But the minister takes the position on that question that he knows that the farmers of the Dominion of Canada do not want mutual preference. Then what about the navy? He is prepared to spend money on a navy which a large portion of the farmers of Canada do not want, an independent navy. I might call his attention to this fact that to obtain that independent navy he will have to spend ten or twenty times as much each year as he is spending on the agriculture of this country. I only call attention to these things to show the many blunders and mistakes he has been making. Then what about the government weigher at the port of Montreal? Three million packages of perishable products go out of the port of Montreal every year. One of his own commissioners went to Montreal and investigated this question and definitely stated that the people were being robbed in the position they are placed in at the present time. Did he move the minister? No, Sir. He is still clinging to this condition. Take his position on rural mail deliveries, something

that should be an advantage to the farmers of Canada. On that question he comes out boldly and frankly, says it is not in the best interests of the farmers of Canada, and that he is not willing to grant it. What kind of Minister of Agriculture is that to have in a Dominion when on an important question, which is of practical benefit to the farmers of Canada, he rises in his seat and takes that position. He tells us that the cows of Denmark produce double what they do in Canada. Yet this man has been at the head of agriculture in this country for the last fourteen years, and what has he done? He tells us of little cow testing experiments which are going to be of great benefit. We have been hearing of these little toy propositions going to be of great benefit to the farmers of Canada for many years. But instead of taking hold of this industry in a proper, manly way, he brings forward these little suggestions. Now, Mr. Speaker, I do not want to take up any more of the time of the House. It is late in the session for the Minister of Agriculture to bring down the statement that he has made to-day. Might I say that it ill becomes a minister of the Crown to take the position he did this morning. It ill becomes him because he can depend upon it that if a minister of the Crown can come here year after year and, hiding behind the Speaker, give out figures which would be distributed in the hundreds of thousands all over this country without any contradiction, we are not going to have aggressive legislation in the Department of Agriculture.

Transportation facilities have improved, but instead of the minister raising his hand or doing anything worthy of the position he occupies or anything worthy of consideration, he has taken the position he has to-day, he simply tells the people he is getting along nicely, and has been developing this wonderful agricultural interest of our country through the steps he has taken. I sincerely hope that the minister another year will bring down his estimates early in the session. Year after year it is the same story, bringing down his estimates in the last days of the session, generally on a Friday when there are few in the House and generally in the evening when he knows there will not be many members present to discuss these estimates. Agriculture is a great and important industry in Canada. What would your other industries, your railways, your manufactures, or any other industry be were it not for the agricultural interests? They would amount to nothing and instead of that great industry being debated and discussed, we find the minister coming in the last hours of the session and making a three hours' speech which is a partisan speech. The minister cannot deny that he has made that speech in order to send it out to the people of Canada to show the great development of this great industry under his worthy suffragette or Czar.

Mr. M. BURRELL (Yale-Cariboo). The minister, after he had been speaking this afternoon for about an hour and a half remarked that he wished to direct the attention of his hearers, and to attract also their thought. I would only say that if the minister seriously wished to attain that object he exhibited the most singular way of going about it I have ever witnessed in this House by the elaborate campaign speech which he introduced as the result of a question by a member from this side of the House. He remarked that members on this side were touchy. I do not know that there is any gentleman more touchy than the minister himself. He remarked that we were always fighting him although we were afraid to carry our fight to the logical end of voting against his estimates as he knew we were afraid to carry our measures that far. He added that where he did not find us fighting against him and obstructing his efforts in this House as Minister of Agriculture, he found a veiled opposition from this side. In fact he assumed altogether the air of a martyr, although he did return thanks to the gods that the country, and this House had always stood by him. I would like to refer to this extraordinary statement of the minister, because I object very strongly to the tone of these remarks, which I think must have resulted from an exceptional thinness of the minister's cuticle, and probably from a lack of the sense of proportion. I object to their tone, and to their substance. Last session we had a discussion in this House upon horticultural matters, and the subject was introduced by myself, and spoken to rather extensively by various members including the minister. Let me quote the passage in which I closed my speech:—

> I sincerely trust that the minister will accede to these very moderate requests. They are made not in any political or party spirit but with the sole desire to build up what I believe can now be truly designated a national industry.
>
> Hon. SYDNEY FISHER (Minister of Agriculture). I appreciate the spirit which has inspired the remarks of the two hon. gentlemen who have addressed the House. I recognize their criticisms as a perfectly fair and friendly effort to secure an advantage to the very important fruit trade of this country.

Why does the minister not remember this sort of thing a little longer? I think it would be better for him, and better for the progress of his estimates if he would take a somewhat fairer line. It would be foolish on our part to say that no good had ever come from the Department of Agri-

culture. We could not take that foolish position, we recognize the good work that has been done, we recognize the very excellent work that has been performed by many officials, and very first-class officials of the Agriculture Department. We also recognize the good work done in the various provinces by provincial officials, and otherwise by the people of the country at large. The agricultural industry has achieved great progress, and if the minister, and his department have contributed to that progress in any way, they will get the just amount of praise that is due them. And he should remember that a certain amount of praise is due to those on this side of the House who have supported the minister's hands in putting on the statute-book measures for the advantage of that industry. I sometimes think that in this country we are getting too much of the spirit of brag and boasting in what we do, and I fear sometimes the minister has fallen victim to this spirit, and occasionally in giving three blasts of the trumpet in praise of Canadian agriculture he does not forget to give an extra three for the minister. It might almost be concluded, I think, that the demerits of the Department of Agriculture must be very grave if they demand a three hours speech to introduce the estimates. I have noticed about a baker's dozen of supporters of the hon. gentleman on the other side of the House, and a good sprinkling on this side, members going in and out, and I could almost fancy the minister might have included in his speech the quotation from the poem:

> Men may come and men may go,
> But I go on forever.

The government is very prone to accuse members on this side of delaying the work of the session, but I think it will strike many that we have had the most singular instance this afternoon of delaying the work of the session at a very late period. Even in defending himself from imaginary attacks the minister has indulged in a most extraordinary redundance of phraseology, and wealth of detail which I fear is characteristic of his remarks, and which have done much to delay the work of the session. He has given us, save the mark, a 'sketch,' and I may say with all respect to what he may have said to Jones in Liverpool, or to what Jones may have said to him that it would have been better at this stage of the session in the Agricultural Committee or somewhere other than the House, where there would have been no difficulty in getting the minister's remarks printed so as to reach the country. That would have avoided this three hours' speech, and would not have encouraged the debate which must be a necessary consequence of the assertions made during his speech. I do not want to be a sinner myself in delaying the work, but it would have been better for the minister to have dispensed with his three hours' talk and to have gone on with the estimates, and to have risen as soon as possible.

Mr. W. H. SHARPE (Lisgar). Mr. Speaker, I am sure the only member in this House who was thoroughly entertained by the campaign speech delivered by the minister was himself. He even refused at the beginning of his address to allow us to ask him a question. This is putting on the thumb-screws even tighter than the Prime Minister would do. We all admit that this minister has charge of the most important department in the whole government. We may talk about our mines or our forest departments, and we are all proud of them, but we must admit that the Agricultural Department is the most important in Canada. The land will keep on producing, and will furnish employment and give support to many millions of people in this country long after our forests and mines are exhausted. Therefore, I say that agriculture in Canada is the most important industry we have. Notwithstanding all that the hon. minister has been pleased to tell us this afternoon about what he has done for the people of Canada, when we come to investigate the other departments and come back again and look at what the Department of Agriculture is doing, we are compelled to admit that the Department of Agriculture is the most undeveloped department in the whole government. Take the esimates of 1909-10, when we look at the heading we find in staring figures $1,114,000 for that department. But when we go through the estimates and sift out what is really spent in the interest of agriculture, we find that those figures dwindle down to $657,000. I know that the minister figures in another item which brings it up a good deal higher, and that item is the health of animals. Now, Sir, knowing something about how this money is being spent on the health of animals throughout western Canada, I claim it is not being spent in the interest of the farmers. Take the estimates for last year. Last year the government were retrenching, they found there was not enough money to go round, and they had to retrench. We find the other great departments cut down about ten per cent, but when we come to the Agriculture Department, we find it cut down from twenty to thirty per cent. This leads us to one of two conclusions, either that the government considers this the most unimportant department, or that the Minister of Agriculture is the weakest minister in the cabinet and cannot get what is needed for the great producing classes of this country. I claim that if the governments, whether Dominion or provincial, have any function

at all that function essentially is to stand between the producer and the consumer, and to see that there is no undue toll taken from either. I would ask the minister when he has ever stood up in his place in parliament for either the producers or the consumers against the grafters. He has never done so during the two years I have had the honour of a seat in this House. Still, we find combines starting up everywhere, beef combines, pork combines, cement combines, and every other kind of combine, from one end of Canada to the other, which are taking undue tolls from the people, yet the minister has never raised one hand or one finger to protect them. I consider that the conditions in regard to his department are in a deplorable state. Would you believe it, Mr. Speaker, the exportation of everything raised or grown on the farm, except wheat, is going down year by year? I claim that this condition in that respect is not only regrettable but deplorable. Let me give you a few figures of our exportations to prove what I am saying:

	1903.	1909
Hams and bacon.. ..	$15,906,334	$ 8,835,444
Decline of $6,710,000.		
Cheese..	24,776,406	20,384,666
Decline of $4,000,000.		
Sheep..	1,655,681	569,364
Horses..	1,457,173	367,256
	1904.	1908.
Salted pork..	461,055	85,529
Potatoes..	2,109,481	707,037
	1906.	1908.
Butter..	7,086,020	1,087,242
1906.	1907.	1908.
Cattle.. .. .. $11,689,551	10,933,669	9,302,964

These are eight of the most important products of the farm, and I tell you, Mr. Speaker, that unless these eight branches of farm production are kept up, the production of wheat cannot possibly last in this country. In the United States, some years ago, the average production of wheat was about twenty bushels to the acre; to-day the average production of wheat in that country has fallen to twelve or thirteen bushels per acre. Our average in western Canada is about twenty bushels per acre at the present time, but if we do not keep these eight branches in a flourishing condition, the production of wheat in western Canada will very shortly be down to twelve or thirteen bushels per acre. Therefore, I say that these important branches of agriculture must go hand in hand with the production of wheat. Last year we had Professor Robertson before the Agricultural Committee, and he told us that the farmers of Quebec, on account of their poor methods of farming, were losing about $100,000,000 a year. If the province of Quebec lost a revenue of $100,000,000 because the farmers do not farm the land in a proper manner, what does it mean for the whole of the other provinces of this country? If that statement is true in connection with Quebec, then the whole Dominion of Canada lost a revenue equal to $400,000,000 or $500,000,000. The minister says that the reason our farmers are not more successful is because of their slipshod methods and of their lack of interest in their work. I want to tell the minister that is not the facts. I am speaking particularly in connection with western Canada, because I am more in touch with conditions there than in eastern Canada. When, some years ago, the government and the Canadian Pacific railway joined hands and sent a train through western Canada to give demonstrations to our farmers I remember quite well the day that that train reached the town that I lived in. It was in the dead of winter, there was a blizzard, it was cold and stormy, but I know of lots of farmers throughout my constituency who drove 12, and 20 miles to be there to get the information that these men had brought for their enlightenment. Farmers, throughout western Canada particularly, are hungry for information. They want to have demonstrated to them how they should do things and they would be only too glad to follow up the instructions that were given to them. I spoke a little while ago in connection with the exportation of products of this country falling off year after year. I have spoken to several in connection with it and the argument that I have received from each one was that it was because of the great internal expansion throughout this country. When I first heard that argument I thought perhaps there was a good deal to it, but when I looked into the records of other countries that were expanding and going ahead practically on a par with Canada, I found the condition altogether different. Instead of the productions of the Argentine republic, New Zealand and Australia going down from year to year as ours are, they are going up. They are exporting more of their farm products than ever each year. The Argentine republic is expanding just as fast as we are if not a good deal faster. In 1865, 11,667 immigrants arrived on their shores and in 1895, 125,205; and in 1907, 329,122. So you can see that they are getting just as many immigrants, if not more, than we are in Canada. They exported, in 1887, 13,185,000 bushels of wheat; and in 1907 they exported 86,360,000 bushels. Their exportation of wheat is practically on a par with ours. We find that in 1900 they exported wool to the extent of 101,113 tons. That shows that they have gone into sheep breeding, and in 1907, the exportation of wool had increased to 154,818 tons. Instead of their being the same as we are in Canada, instead of the exportation of

sheep and wool going down, year after year, the exportation of sheep and wool from the Argentine republic is going up year after year. I wish to speak particularly in connection with the cattle trade of the Argentine republic. We find that they have two systems of shipping their cattle. They ship some on the hoof, and some in a frozen state. In 1900 they exported 66,496 head of cattle; in 1903, 249,000; and in 1906, 509,112. That shows, in my opinion, that they must have some persons in the Argentine republic who are looking after the interests of the great producing population of that country. In Australia, our sister colony, they are expanding too. They are developing their country according to population as fast as we are. They exported beef in 1906, 294,392 quarters ; in 1907, 308,114 ; and in 1909, 390,626; showing a gradual increase all the time while our exportation is going in the opposite direction. I claim that the interest of this present government is particularly favourable to the manufacturers. I have shown how the exportation of farm products is going down from year to year, but when we look at the exportation of the manufactured article we find it going up from year to year. In 1900, $14,222,000 worth of manufactured goods were exported from Canada; in 1905, $21,191,000, and in 1909, $28,957,000, showing a gradual increase all the time. If the great expansion of our country was eating up the extra products of the farm, why should not this great expansion also eat up and take the surplus manufactured goods that we are producing in this country? I claim that this is a very serious state of affairs.

The minister took three and a half hours to tell us what a great department he had, but he forgot to tell us why the exportation of these products has been decreasing year after year. Well, Sir, I claim the reason is that the minister is not looking after the interests of his department. The hon. gentleman tells us what he is doing for Canada, but when we compare what Canada is doing with what other countries are doing it is absolutely laughable to hear him boasting. France spends $9,200,000 each year in the interest of agriculture; Austria, $9,270,000; Hungary, $9,400,000; the United States, $10,000,000; Russia, $25,280,000; Japan, $3,750,000, and all poor Canada can afford to expend on her agriculture is a paltry $657,000 a year. France has 71 experimental farms, Germany has 80, Austria has 61, the United States 60, Russia has 101, and Canada has 6 or 7. Why, Sir, I hold that in an agricultural country like this the Agriculture Department should be one of the greatest spending departments of the government in its efforts to promote the welfare of the agriculturalists of the country and to extend our trade. Now, I ask the Minister of Agriculture to give me his special attention while I refer to the question of experimental farms. Let me remind him that there is only one experimental farm in the whole province of Manitoba, and that is situated at Brandon, so that in order that the farmers of that province may obtain the object lessons in scientific farming which the minister has referred to, they have to travel long distances to Brandon and to lose a great deal of their valuable time. It may be said that to the majority of the farmers of Manitoba the experimental farm at Brandon is useless. I trust the minister will see his way to establish other such farms in Manitoba without delay. I think there should be a model farm in each farming constituency in Canada. Let me for a moment direct the attention of the minister to the combines existing in western Canada. In the little town of Mowbray, in 1908, the elevators handled over 300,000 bushels of wheat, but last spring a spur railway was built across the line into north Dakota, and an elevator erected there, with the result that last year instead of handling 300,000 bushels on the Canadian side there were only 100,000 bushels handled, while the United States elevator handled 300,000 bushels. Our farmers took their grain across the line and shipped it in bond back into Canada to the lake ports, and by pursuing this course they received from 13 to 14 cents a bushel more for their grain than if they had dealt in Canada. Let me tell the Minister of Agriculture also that whereas in the province of Manitoba along the boundary line the land is worth only $20 or $25 and in some cases $30 an acre; right across on the American side on account of the better treatment which is accorded the farmers in north Dakota, the land is worth from $40 to $50 an acre. Then, with regard to the beef industry, I might remind the minister that he has been asked many times to investigate the beef industry of the United States, Australia and the Argentine republic, but he has always refused or neglected to do so. I represent a mixed farming community, and last year we shipped 512 cars of cattle to the city of Winnipeg. I know numbers of farmers in my constituency who always in the past have kept from 50 to 75 and 100 head of cattle, but these men are selling out their herds and going out of business because the combines are robbing them of every dollar they should make. It goes without saying that the farmers must keep stock in order to keep up the standard of their land, and if the cattle industry declines so much the worse for general farming. There were 110,000 head of cattle shipped to the city of Winnipeg last year, and all the farmers could get from the beef combine in that city was an average of

$3.76 per hundred weight, while at the same time the average price of similar cattle in Chicago was $6.27 per 100 pounds. There must be something wrong with the cattle trade when such a condition exists. In 1907, the Roblin government appointed a commission to look into the conditions of the beef trade in Manitoba, and they found that on each beast a farmer raised in that country he lost $5.80, that the retail dealers made an average profit of $13.60, and the abattoir men—in other words, the great beef combine of Winnipeg—made $23.10 per head. The public abattoir in Montreal charges $1 for killing, so that we may infer there was a clear profit of $22 per head to the abattoir owners, or the beef combine in Manitoba. With 110,000 head of cattle going in, the meat combine in Winnipeg took out of the producers between $1,000,000 and $2,000,000 more than they should have done. Is it any wonder that the producers are quitting? The combine is simply driving them out of business. The drovers from north Dakota come across to Manitoba and buy cattle and drive them across the line and pay the duty, which I think is 25 per cent. Alberta is the finest country in the world for producing beef and pork, but the combine is driving the producer out of Alberta. Mr. Paddy Burns, the beef king of Alberta, says that in five years Alberta will be importing beef and pork, because the producers there will not be raising enough to supply the demand. I would like to read to you what the Edmonton 'News' of February 19, 1910, says:

One of the most important matters before the people of Alberta is that of chilled meat. It is absolutely essential to the prosperity of the province, both in town and country, that the value of our flocks and herds should not only be maintained but increased, and there never was a more opportune time than now to strengthen the hands of the farmer and stock-raiser in the production of beef and mutton.

It is roughly computed that the average price of first-class beef for the last three years has been from 3 to 3½ cents on foot, hardly a paying proposition to the stock-raiser. The figure average would not be at all likely to go over 3½ cents per pound. This is a most unsatisfactory state of affairs when we consider our many and great natural advantages.

What seems to be mostly required is a stable and steady market for live stock the year round. This can only be obtained by cold storage and chilled meat exportation. By this latter method not only would the grower obtain a far better price for his beef cattle, but the markets would be steady and such as he could depend upon. It would be a fairly safe estimate to make, that good, well-fed cattle could be sustained in price at 5 cents per pound, and would seldom if ever go below that mark. The difference between selling a good 3-year-old steer of, say 1,200 pounds weight, between 3 cents and 5 cents per pound is $36 in one case, $60 in the other, a difference of $24.

Counting the cost of rearing, attention and feed, three-year-old steers, sold at 3 cents per pound, represent in most cases a deficit, while if the same animals are sold at 4½, even, or 5 cents per pound and over, they represent a healthy state of trade and are a source of profit to their owner who is encouraged to go on and bring others into the business.

This extra money earned would not only benefit the producer, but would also be found circulating in all branches of trade and would be a benefit to the whole community.

This is the condition in Alberta, and the same conditions prevail in Saskatchewan, and I am told that they are almost as bad in eastern Canada. Now, the Roblin government have offered $50,000 towards the establishment of a public abattoir in the city of Winnipeg, and while this is in the right direction, I claim that it does not go far enough. What we want in Manitoba is something to relieve the condition for the whole province, and not merely for the city of Winnipeg. While we recognize the importance of the city of Winnipeg, it is not of very much importance when it comes to the producing of beef. Therefore, what we want is something broader, something that will relieve the situation throughout the whole province of Manitoba. The government of Alberta are also talking of going into the abattoir business, and there is no doubt that in course of time the province of Saskatchewan will have to follow in the same direction, because, as I have said, it will be impossible to keep up the productiveness of the farms of western Canada if we do not keep stock on the land. I think each province should own and control the abattoirs of that province, and I think the Dominion government should put on a cold storage system throughout the whole Dominion. All the governments should work in conjunction, so that we could have our products shipped to the British market in a chilled state. In this respect we in Canada are in a very favourable position. While Australia and New Zealand, owing to their distance from the British market, must freeze their products in order to get them to that market, we on account of our nearness to the British market, can ship our products in a chilled state. In that way the chilled products of Canada will bring practically as much on the British market as the newly-slaughtered products over there, while the frozen goods of these other countries will bring a much smaller price. Therefore, we have a very great advantage over them. The hon. minister spoke of the appointment of a commission to go to Europe to look into the conditions of the hog industry there. They went to England, Scotland, Ireland, Denmark, and Holland to study the conditions in those countries. I have looked through the report of this commission, and I have also visited the

Experimental Farm at Ottawa; and I may say that if there is one department of the Experimental Farm which the hon. minister deserves credit for, it is the hog department, because it is in splendid shape, and he has got there some of as fine animals as I have ever seen. So I do not think it is the conditions in these foreign countries that we need to look into. The conditions in those countries could not be on a par with ours, and anyway my idea of this question is that what we want to know of across the water is the price and the conditions of handling, what we want to look into are the conditions under which these other countries get their products to the British market. I think that if he had gone to work and sent that commission to the United States, the Argentine Republic and Australia, to look into the conditions under which these countries send their products into the British market, then I say he would have been doing a splendid thing for the producing population of this country. But instead of that, he goes to work and puts the cart before the horse, and sends the commission over to Europe to look into the conditions there, instead of to the countries on this side of the water and looked into their cold storage systems.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

ST. LAWRENCE POWER TRANSMISSION COMPANY.

Mr. PARDEE moved the third reading of Bill (No. 115) to incorporate the St. Lawrence Power Transmission Company, Limited.

Mr. S. SHARPE. An amendment agreed to in committee to clause 6, subsection 2, line 21, the addition of the words 'transmitted or' before the word 'produced' has not been incorporated in the reprint.

Mr. PARDEE. I have no objection to those words being inserted.

Mr. S. SHARPE. I have given notice of an amendment on the third reading which I think is obviously in the interest of the country. That amendment reads:

Nothing in this Act contained shall be construed to revive any powers of the St. Lawrence Power Company, being chapter III., 1 Edward VII., which may have become null and void by reason of the said company not complying with the provisions of the said Act of incorporation.

As every one knows the St. Lawrence Power Company was incorporated by a special Act of 1901 which conferred certain powers on the company in connection with making dams, &c., along 57 miles of the St. Lawrence river. That included our water-powers and section 13 of the St. Lawrence Power Company's private Act defines the time after which the company will forfeit its right unless it goes on with its works, that is three years from the passage of the Act. As a matter of fact the St. Lawrence Power Company, incorporated under the Act of 1901 has not constructed any works whatever. Section 14 of the present Bill provides:

Nothing in this Act shall be deemed to constitute an approval by parliament of any future development of water-power by erecting a dam in or across the St. Lawrence river under the chapter 111 of the statutes of 1901, intituled 'An Act to incorporate the St. Lawrence Power Company,' or otherwise; nor shall the company hereby incorporated be authorized to transmit power generated by the St. Lawrence Power Company other than the power generated by and in connection with the works already constructed by the said St. Lawrence Power Company.

That is making an affirmation that the company constructed certain works which as a matter of fact they did not. This idea is amplified in section 13 by the use of the word 'further'.

The Governor in Council shall not give his approval to the construction of any further canals, &c. . . . by the St. Lawrence Power Company.

They have not constructed any works and consequently the word 'further' is a misnomer. The whole list of amendments incorporated in the present Bill are admittedly irregular to say the least. I do not think that in the memory of the oldest parliamentarian that it was ever known that rights of certain promoters under a previous Act have been cut down or curtailed in a subsequent private Bill. Even admitting that these amendments are regular, this parliament does not want to do anything that will revive rights that have lapsed. The amendment cannot possibly do any harm, and I do not think the gentleman in charge of the Bill desires to ratify any rights if the company have lost them by not constructing their works.

Mr. PUGSLEY. How by any possibility could anything in this Bill revive the powers of that company, or empower it to proceed with the construction of any works, when by another clause in the Bill it is especially provided, that the company shall not be allowed to construct any works of any kind in the river without first getting the consent of parliament?

Mr. S. SHARPE. Where does it say that?

Mr. PUGSLEY. In the amendment which was moved by the leader of the opposition, and accepted by gentlemen on both sides of the House.

Mr. S. SHARPE. That refers merely to the damming of the St. Lawrence. If the intention of parliament is not to revive their powers, there would be no harm in this amendment.

Mr. PUGSLEY. What is the use of making ourselves a laughing stock by putting in amendments that are not necessary?

Mr. S. SHARPE. The amendment proposed by the hon. member for West Lambton (Mr. Pardee) makes a misstatement, it says 'works already constructed by the said St. Lawrence Power Company,' when as a matter of fact they have not constructed any works. My information is that they have not constructed any works at all, that they are operating works that have been handed over to them by the government.

Mr. R. SMITH. The hon. gentleman's information is entirely wrong, he is starting out on a wrong assumption.

Mr. S. SHARPE. My information comes from a gentleman who is familiar with the whole territory, who lives along the St. Lawrence river, and he tells me they have not constructed any new works. All they have done is to operate works that have been constructed by the government, and if this company of 1901 have consturcted any new works, there is no harm in the amendment.

Mr. R. SMITH. I can only repeat that whoever gave the hon. gentleman the infomation told him something that he did not know anything about, because the company have constructed works and have developed power. That power that is being used to operate the Cornwall canal is produced near Mille Roches, and is being distributed in the town of Cornwall. The company built a raceway from the basin that was developed from the Sheik's Island dam, through Sheik's Island, constructed an electric power house, put in water wheels, and developed I think some 5,000 horse-power, which is being used at the present time to the full extent.

Mr. G. TAYLOR. That is the old company.

Mr. R. SMITH. Not the old company.

Mr. S. SHARPE. If the hon. gentleman's statement is correct, and I assume it is, the company have not forfeited their rights, they are still in existence and still capable of proceeding under their Act of 1901, and for that reason there would be no harm in the present amendment.

Mr. PUGSLEY. But there is a clause which prohibits them from going on.

Mr. S. SHARPE. Only in so far as the dam is concerned. Any plans adopted for the damming of the St. Lawrence must be submitted to parliament.

Mr. R. SMITH. There may be some technical misunderstanding between the hon. gentleman and myself. The original right to develop that power was given I think to Mr. M. P. Davis, and Mr. Davis transferred his rights to this company. Perhaps that is the distinction between the hon. gentleman and myself.

Mr. S. SHARPE. Then was it the company or was it Mr. Davis who did the construction work?

Mr. R. SMITH. I am not quite certain as to the exact date.

Mr. S. SHARPE. The hon. gentleman should not get up and contradict my statement unless he has accurately ascertained the facts. It is altogether different whether Mr. Davis did the construction work or whether this company did the construction work. If the company, under this Act of incorporation, has not done any additional work, then the company are in default, and the present Bill may be reviving rights under the Act of 1901.

Mr. PARDEE. Does the hon. gentleman seriously argue as a proposition of law that anything we do under this Act may revive the rights of 1901?

Mr. S. SHARPE. We have introduced already three amendments in the Bill that interfere with that Act of 1901, and this is a private Bill. If this House can curtail the rights of the company under the Act of 1901 by inserting an amendment in this Bill, then we can certainly confer rights upon that company. If our amendments are any good at all, then we are capable of curtailing the rights of the company under the Act of 1901. I therefore move the amendment of which I have given notice.

House divided on amendment.—Mr. S Sharpe.

YEAS

Messieurs

Armstrong,	Nantel,
Barker,	Paquet,
Best,	Roche,
Borden (Halifax),	Russell,
Bradbury,	Sexsmith,
Campbell,	Sharpe (Lisgar),
Crocket,	Sharpe (Ontario),
Crothers,	Smyth,
Currie (Simcoe),	Stanfield,
Daniel,	Staples,
Goodeve,	Taylor (Leeds),
Haggart (Winnipeg),	Thornton,
Henderson,	Wallace,

Herron,
Jameson,
Lennox,
Middlebro,
Wilcox (Essex),
Wilson (Lennox & Addington).—32.

NAYS

Messieurs

Allard,
Allen,
Black,
Borden (Sir Frederick),
Boyer,
Bureau,
Cash
Chew,
Chisholm (Antigonish),
Chisholm (Inverness),
Clark (Red Deer),
Clarke (Essex),
Conmee,
Douglas,
Fielding,
Fisher,
Fortier,
Gervais,
Graham,
Guthrie,
Harty,
Kyte,
Lavergne,
Law,
LeBlanc,
Lemieux,
Loggie,
McCoig,
McColl,
McCraney,
McIntyre,
Martin (Wellington),
Michaud,
Miller,
Molloy,
Nesbitt,
Neely,
Pardee,
Pickup,
Proulx,
Pugsley,
Reid (Restigouche),
Rivet,
Roy (Montmagny),
Schell,
Sealey,
Smith (Stormont),
Sperry,
Turriff.—49.

PAIRS.

Messieurs

Ministerial.	Opposition.
Laurier (Sir W.),	Foster,
Brodeur,	Haggart (Lanark),
Aylesworth,	Blain,
Oliver,	Lake,
Murphy,	Bristol,
Paterson,	Lancaster,
Templeman,	Cowan,
King,	Lalor,
Gordon (Kent),	Osler,
Harris,	Beattie,
Sifton,	Schaffner,
Carvell,	Rhodes,
Sinclair,	Monk,
Talbot,	Owen,
Stratton,	Gordon (Nipissing),
Emmerson,	Crosby,
Congdon,	Meighen,
Currie (Prince Edward),	Kidd,
Beauparlant,	Wright,
Béland,	Marshall,
Bickerdike,	Doherty,
Devlin,	Lewis,
Fowke,	Arthurs,
German,	Chisholm (Huron),
Knowles,	Barnard,
Low,	Boyce,
Macdonald,	McCarthy,
McGiverin,	Donnelly,
McLean (Huron),	Edwards,
McLean (Sunbury),	Ames,
Prowse,	Broder,
Rankin,	Clare,
Ross (Middlesex),	Elson,
Rutan,	Burrell,
Smith (Middlesex),	Fraser,
Smith (Nanaimo),	Lortie,
Tolmie,	McCall,
Warburton,	Macdonell,
Ross (Rimouski),	Blondin,
Martin (St. Mary's),	Forget,
Martin (Regina),	Northrup,
White (Victoria),	Magrath,
McKenzie,	Maddin,
McAllister,	Maclean,
Richards	Perley,
Roy (Dorchester),	Porter,
Champagne,	Price,
Ethier,	Reid (Grenville),
Lafortune,	Sproule,
Wilson (Laval),	Taylor (New Westminster),
Hodgins,	Stewart,
Hunt,	Worthington,
Lovell,	White (Renfrew),
Ecrement,	Thoburn,

Amendment (Mr. S. Sharpe) negatived.

Mr. HENDERSON. I thought there were two words that were to be inserted by agreement. Is this the time to do it?

Mr. SPEAKER. Yes, if they are verbal amendments, they can be inserted now.

Mr. PARDEE. Are these the two words that the hon. member for North Ontario referred to?

Mr. HENDERSON. Yes.

Mr. PARDEE. There is no objection to their being inserted. I therefore beg to move:

That in line 35, section 13, the words 'the Canadian' between the words 'of' and 'canal' be substituted for the word 'our'. It will then read the 'safeguarding of the Canadian canal' instead of 'our canal'; also in line 21, subsection 2, section 6, after the word 'energy' there be inserted the words 'transmitted or'.

Motion agreed to, and Bill read the third time.

Mr. SPEAKER. Is it the pleasure of the House that the Bill do now pass, and the title be entered as on the Order Paper?

Mr. J. A. CURRIE. I beg to move that the Bill be not now read the third time, but that it be read the third time this day six months hence.

Mr. SPEAKER. I declared the Bill read the third time, and the question before the House is that the Bill be now passed, and its title be entered as on the order paper. The only amendment that can be put at this stage is regarding the title of the Bill. The Bill has passed its third reading, and this amendment is out of order.

Motion agreed to, and Bill passed.

ROYAL GUARDIANS.

House in committee on Bill (No. 120) respecting the Royal Guardians.—Mr. Rivet.

On the preamble,

Mr. FIELDING. There is a question as to the propriety of using the word 'royal' in connection with public charters, and in the present case the parties concerned were careful to take the trouble of ascertaining from the Colonial Office whether there would be any objection. This was a very proper course. They have recited in this Bill that His Majesty has assented to the use of the word 'royal,' but, when His Majesty assents to this Bill in the usual way, he becomes a party to it, and I think the statement in the preamble is unnecessary. There are some reasons why we should not allow the recital to go in. I move that the words:

And whereas His Majesty has approved of the word 'royal' in the title of the said association.

be stricken out.

Mr. U. WILSON. I understood in the committee that these words had been put in at the special request of the department?

Mr. FIELDING. My understanding was that the fact that communication had been had with the Colonial Office should be recorded in the records of the committee, but I do not think it necessary to incorporate it in the preamble of the Bill.

Mr. U. WILSON. The position taken by the official of the department was that if it went in the minutes it would be lost sight of, and that if it went in the preamble it would give it publicity.

Mr. FIELDING. It is not necessary to put the statement in the preamble although, as I have said, I think the parties took the proper course.

Mr. HENDERSON. I agree with the Minister of Finance that it is surplusage to add these words in the Bill, and it would look as if it were an effort to obtain a little cheap advertising for this company.

Mr. BARKER. If you insert these words, it would imply that unless they were inserted we could not pass the Bill. I understood the minister to say that assent was not essential, but that it was discreet to apply for assent to the use of the word 'royal.'

Mr. FIELDING. We have used the word 'royal' for many years without restriction, and of recent years a communication was received from the Colonial Office, not forbidding it but pointing out that it was open to objection and expressing the desire that the word should not be used except in cases where His Majesty approved. For that reason we generally prefer that the title should not be used. Still, our right to use it, if in the judgment of this parliament it should be deemed expedient, would not be questioned.

Mr. U. WILSON. The promoter of the Bill is here, and he will corroborate what I have said.

Mr. FIELDING. I do not need corroboration for an assertion made by my hon. friend; I am quite sure it is correct. If an officer of my department put it in that way, there is a little misunderstanding.

Amendment that the words be stricken from the preamble agreed to.

Bill reported, read the third time, and passed.

CONSIDERED IN COMMITTEE—THIRD READINGS.

Bill (No. 165) for the relief of Elmore Walker Scott.—Mr. Tolmie.

Bill (No. 179) for the relief of Helena Mellor Fleming.—Mr. Knowles.

Bill (No. 176) to incorporate Laurentian Insurance Company of Canada.—Mr. Rivet.

SECOND READINGS.

Bill (No. 201) for the relief of John Green.—Mr. Edwards.

Bill (No. 202) for the relief of James Thornton Brownlee.—Mr. Blain.

Bill (No. 203) respecting the Essex Terminal Railway Company.—Mr. Clarke (Essex).

RACE-TRACK GAMBLING.

Mr. FIELDING. It will be in the recollection of the House that at the close of the debate on the Bill to amend the Criminal law in respect to the management of race-tracks, &c., the Bill, although in substance defeated, was allowed to stand on the order paper in the hope that some arrangement might possibly be made whereby the contending parties would agree. I am informed that such an arrangement has been reached, and upon that understanding, and in the belief that it will be acceptable to the House generally, I move that Order 37 in Public Bills and Orders standing in the name of Mr. Miller, be now called.

Motion agreed to.

House again in committee on Bill (No. 6) to amend the Criminal Code—Mr. Miller.

Mr. MILLER. It has been correctly stated by the hon. Minister of Finance that an understanding has been arrived at between the opposing forces in connection with this Bill. Let me say at the beginning that I notice a report in the Toronto

papers this evening that I, acting for the Moral Reform Association, had negotiated a compromise. This I may say is entirely incorrect. It is only just to say that. I want for a few minutes to explain my position in accepting the compromise.

Some hon. MEMBERS. Dispense.

Mr. MILLER. I think it is only right that I should explain my position in that regard, because I know that I shall be criticised for having accepted a compromise, and the question may be asked as to why, if I accept a compromise now, I was not willing to do so when the matter was before the House. Let me say that I, with many of the parties who with me supported the Bill do not, by accepting a compromise, concede that it is a proper or right thing to allow professional betting in any place, either on or off a race-track, or at any time. However, I was unwilling to accept any compromise until we were defeated by a vote in the House, and it was found impossible to get that for which we asked. Then it occurred to me that there was just one of two things to do—either to renew the fight, with the hope of getting something more at another time, or else to accept some sort of compromise. If the fight were renewed, I did not know what might or what might not have been obtained; but in accepting a compromise I knew that we were certain of securing a good deal of that for which we asked. I was talking with one of the leading lawyers of the province of Ontario, a man who does not belong to the Moral Reform Association, but who was very much interested in the passage of this Bill. After the vote of last Thursday night this gentleman said to a friend of mine that he hoped that I and those associated with me would not accept any compromise. However, in talking with him afterwards, the gentleman, who is a very eminent practitioner of great ability, as well as common sense, said that I would be accepting a grave responsibility in refusing a compromise that would bring about a law that was so much better than what we have at present. I thought that in that statement he was perhaps right. Then I realized, too, that there was a danger of the public coming to the conclusion that we were wanting rather to win a fight than to obtain good legislation, and if any large number of the public had that idea, which was not a correct one, it would, nevertheless, prejudice a large number of people against the measure, and make it more difficult to obtain legislation again. I want to point out that the legislation we shall have, if his compromise be carried through, is a great step in advance. It will abolish hand-book making entirely; it will abolish the keeping of pool-rooms; it will abolish the advertising of tips and racing information, and the transmission by telegraph or otherwise of racing news; it will limit book-making on the race-track to a seven day race-meet at the longest and not exceeding two meets at any one association track in the course of a year. That will make a very great difference. It will reduce the spring meet of the Woodbine from thirteen days to seven days. It will make impossible the meet of thirty or forty days held at Vancouver, the 60-day meet at Victoria, and the long meets held at other race-tracks. We realize that a great many men both in the House, and out of the House who opposed the Bill as I first introduced it were nevertheless quite earnest, and honest in their desire to have clean sports.

Many of these men, with greater experience than mine, have stated to me that they believed that for the first six or seven days of a race-meeting men went there, because of their love for the horse and for forse-racing, but that after that it became rather an affair of gambling and these men desired to see the length of the meets shortened. The committee will also see that there is a provision that makes it impossible to establish tracks belonging to any association incorporation hereinafter unless the track be located within a Canadian town or city having a population of not less than 15,000 people. That will, I think, be a great restriction. A question that may be asked is: Why am I willing to accede to a compromise to-night, when I refused to accept it on Thursday night? It was not because of my determination to have my own way in the matter. I did not like the compromise offered at that time, and if that compromise were offered now, I would not accept it. There is a difference in the reduction of days. The compromise offered on Thursday night provided for a reduction to eight days and that offered to-night is for seven days. That is a reduction of one-eighth of the time. But another and very material difference, and one I strongly objected to on Thursday last was in the amendment introduced then, that allowed and exempted in express language, 'bets between individuals.' Now, I had been advised by the most eminent legal authority in this House, that the words 'bets between individuals' would exempt betting with the book-maker at all times, and at all places, because in the last analysis, the book-maker is after all an individual. If that advice which I got from that eminent authority was correct, and if bets between individuals in that language would have exempted the book-maker, then the amendment offered to me, perhaps not by any intention of the person who conceived the amendment, would have made the amend-

ment and the law quite valueless, so that the amendment I offer to-night is a much better compromise in my opinion, than the compromise offered last Thursday. I know I will be criticised for having accepted any compromise. I was criticised before for being too narrow and too extreme. Criticism and fault-finding is the natural diet of a politician and I do not mind it any more than other politicians do. Now, just this in conclusion. I have said that those who promoted this Bill who were in favour of the passing of it, do not concede that it is right to allow persons to bet or gamble as a business at any place or time, and I would like to emphasise this. I notice an article in one of to-day's papers that there would be another agitation next session to wipe out the book-maker altogether. I do not think there is any foundation for making that statement. If we pass this law in this parliament, I think it is fair that there should be a reasonable time to see how the legislation passed works out in practice, and new legislation will be asked for when public opinion demands it. The coming of that time depends very largely on how the racing associations conduct their tracks in the interval. I have nothing further to say then, except to thank those who, in the House and out of the House, helped me with my Bill and to say this that I have no feelings against those who opposed the Bill, and who, possibly, were as conscientious in opposing it as I was in promoting it. I move, seconded by Mr. McColl, that clause 2 of the said Bill be reconsidered.

Motion agreed to.

Mr. MILLER. Then, if that is carried I beg to move that all the words in clause 2 of Bill (No. 6) after the word 'therefore' in the second line be struck out and the following substituted:

(a) opened, kept or used for the purpose of betting between persons resorting thereto, and

(i) the owner, occupier or keeper thereof,

(ii) any person using the same,

(iii) any person procured or employed by, or acting for or on behalf of any such person,

(iv) any person having the care or management, or in any manner conducting the business thereof; or,

(b) opened, kept or used for the purpose of any money or valuable thing being received by or on behalf of any such person as aforesaid, as or for the consideration

(i) for any assurance or undertaking, expressed or implied, to pay or give thereafter any money or valuable thing on any event or contingency, of, or relating to any horse-race, or other race, fight, game or sport; or,

(ii) for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency; or,

(c) opened, kept or used for the purpose of recording or registering bets upon any contingency or event, horse-race, or other race, fight, game or sport, or for the purpose of receiving money or other things of value to be transmitted for the purpose of being wagered upon any such contingency or event, horse-race or other race, fight, game or sport, whether any such bet is recorded or registered there, or any money or other thing of value is there received to be so transmitted or not; or,

(d) opened, kept or used for the purpose of facilitating or encouraging or assisting in the making of bets upon any contingency or event, horse-race or other race, fight, game or sport, by announcing the betting upon, or announcing or displaying the results of horse-races, or other races, fights, games.

Amendment agreed to.

Mr. MILLER. Then if that is carried I would like to move:

The word 'place,' as used in this section and in the preceding section, includes any place, whether inclosed or not, and whether it is used permanently or temporarily, and whether there is or is not exclusive right of user.

It will be remembered that the amendment in section 3 substituting the word 'place' for 'house' contained in the latter part of 227, was to be sufficient. For that reason we are asking that this and one or two other following sections be struck out. I move that section 3 be struck out.

Motion agreed to.

On section 4,

Mr. MILLER. For the same reason I would move to strike out section 4.

Motion agreed to.

Mr. R. L. BORDEN. Have these amendments the approval and concurrence of the Minister of Justice?

Mr. PARDEE. Yes, they have.

On section 5,

Mr. MILLER. This section does not relate in any way to racing, but to the barricading of a door in a gaming house. It is to get over a difficulty often found in connection with Chinese gaming houses where a door is barred to prevent the entrance of the police. I move that section 5 be amended to read:

Section 230 of the said code is amended by adding thereto the following paragraph:—

(e) being the owner or other person in control of premises occupied or used as a disorderly house, knowingly allows any contrivance whatsoever upon the said premises for the purpose of preventing, obstructing or delaying the entry of any constable or officer authorized as aforesaid into any such disorderly house, or any part thereof.

Mr. R. L. BORDEN. Have all the amendments the hon. member is moving

the concurrence and approval of the Minister of Justice?

Mr. MILLER. I understand they have.

Mr. R. L. BORDEN. I think that either the Minister of Justice should be here or we should have some statement from some person who does know the fact.

Mr. FIELDING. The Prime Minister having consented to the Bill being called to-night I judge from that that the Minister of Justice has given his consent. I have not myself had any conversation with the Minister of Justice about it, but I have no doubt that the statement of the hon. member (Mr. Pardee) is correct.

Mr. PARDEE. I have submitted these amendments to the Minister of Justice and he is quite content with them.

Motion agreed to.

On section 6,

Mr. MILLER. Section 6 was for the same purpose as some of the other sections substituting the word 'place' for 'house' and for the reasons I have stated I move that section 6 be struck out.

Motion agreed to.

On section 7,

Mr. MILLER. I move that section 7 be struck out, and that the following be substituted therefor:

Section 235 of the said code is repealed and the following is substituted therefor:—

235. Every one is guilty of an indictable offence, and liable to one year's imprisonment, and to a fine not exceeding one thousand dollars, who—

(a) uses or knowingly allows any part of any premises under his control to be used for the purpose of recording or registering any bet or wager, or selling any pool; or,

(b) keeps, exhibits, employs or knowingly allows to be kept, exhibited or employed, in any part of any premises under his control any device or apparatus for the purpose of recording any bet or wager or selling any pool; or,

(c) becomes the custodian or depository of any money, property or valuable thing staked, wagered or pledged in any case or transaction in which such staking, wagering or pledging is itself contrary to the provisions of this Act; or,

(d) records or registers any bet or wager, or sells any pool upon the results,—

(i) of any political or municipal election;

(ii) of any race;

(iii) of any contest or trial of skill or endurance of man or beast;

(e) engages in pool-selling or book-making, or in the business or occupation of betting or wagering, or makes any agreement for the purchase or sale of betting or gaming privileges, or for the purchase or sale of information intended to assist in book-making, pool-selling, betting or wagering; or,

(f) advertises, prints, publishes, exhibits, posts up, sells or supplies, or offers to sell or supply, any information intended to assist in, or intended for use in connection with, book-making, pool-selling, betting or wagering upon any horse-race or other race, fight, game or sport, whether at the time of advertising, printing, publishing, exhibiting, posting up or supplying such news or information, such horse-race or other race, fight, game or sport has or has not taken place; or,

(g) advertises, prints, publishes, exhibits or posts up any offer, invitation or inducement to bet; or,

(h) wilfully and knowingly sends, transmits, delivers or receives any message by telegraph, telephone, mail or express conveying any information relating to book-making, pool-selling, betting or wagering, or intended to assist in book-making, pool-selling, betting or wagering; or

(i) aids or assists in any manner in any of the said acts which are by this section forbidden.

2. The provisions of this section and of sections 227 and 228 shall not extend to any person by reason of his becoming the custodian or depository of any money, property or valuable thing staked or to be paid to the winner of any lawful race, sport, game or exercise, or to be paid to the owner of any horse engaged in any lawful race, or to a private bet between individuals not engaged in any way in a business of betting, or to bets made or records of bets made upon the race-course of any incorporated association during the actual progress of a race-meeting conducted by such association upon races being run thereon, or to the sale by such association of information or privileges to assist in or enable the conducting of book-making, pool-selling, betting or wagering upon the race-course of such association during the actual progress of a race-meeting conducted by such association upon races being run thereon, or to book-making, pool-selling, betting or wagering upon such race-course during the actual progress of a race-meeting conducted by such association upon races being run thereon. Provided that as to race-meetings at which there are running races no such race-meeting continues for more than seven days of continuous racing on days on which such racing may be lawfully carried on, and provided that no such association holds in any one calendar year more than two race-meetings at which there are running races and that there is an interval of at least twenty days between meetings, and provided that such race-meeting is held upon the race-course of a racing association now incorporated, or upon a race-course located in or within three miles of a Canadian town or city having a population of not less than fifteen thousand people by a racing association hereafter incorporated. Provided also that as to race-meetings at which there are trotting or pacing races no such race-meeting continues for more than three days, on which racing may be carried on, in any one calendar week, and that no race-meetings at which there are trotting or pacing races are held on the same grounds for more than fourteen days in all in any one calendar year.

Mr. CAMPBELL. I do not wish to be controversial at all in this matter, I am and always have been strongly in favour

of the abolition of the worst vices that appertain to race-track gambling; but I would point out that Winnipeg and the people of the west desire to hold a World's fair in Winnipeg sometime in the near future. Surely it is not the intention of this parliament to legislate in such a way that if Winnipeg does hold a World's fair, we can only have seven days' racing at that fair. I would like some provision inserted in this Bill that will get over that difficulty. I am only suggesting it to the good sense of the House, and not with any desire to raise any controversy in the matter.

Mr. McCOLL. The World's Fair is a special event, and perhaps we could let that matter stand, and make it a subject of legislation if necessary when the World's Fair is finally decided on.

Mr. CAMPBELL. I think that is quite right, if it were possible to give Winnipeg a guarantee to that effect.

Mr. J. A. CURRIE. I would like to ask the promoter of this Bill one question. Will this clause, as I find it in a copy of the Bill, prevent newspapers published in Canada or elsewhere from publishing bets or the odds on sporting events?

Mr. MILLER. I do not think it will. That clause is not a new one, it was before the House for a long time, and no newspaper publisher, or newspaper dealer has made any protest. I should think their interest is not being affected, or they would have protested.

Mr. J. A. CURRIE. I am sorry the Minister of Justice is not here, but the Solicitor General is here, and I would like to have his opinion on that question. For instance, would that clause prevent the 'Globe' newspaper from publishing the odds, we will say, on the Jeffries-Johnson fight? Also, suppose a newsdealer sells a copy of the London 'Times', which constantly contains sporting information, and odds on horse-races and on cricket matches, would the seller of the London 'Times' be subject to prosecution under the Code? It is important that that should be made clear.

Mr. MILLER. The language here is intended for use in connection with book-making, and surely it could not be held to cover any such case as the hon. gentleman mentions.

Mr. J. A. CURRIE. I think this is important, because in case of a prosecution under this Act, the intent of the House will always be considered by the courts.

Mr. LENNOX. It cannot be considered at all.

Mr. BUREAU. I do not think it is part of my duty to guide the House of Commons with any legal opinions I may entertain on any provision of this Bill. My hon. friend may consult the Minister of Justice if he chooses.

Mr. J. A. CURRIE. Then perhaps the promoter of the Bill will let me know whether he has presented that view of the case to the Minister of Justice, and whether the Minister of Justice has informed him that it would not affect newspaper publishers.

Mr. MILLER. I may say that the question has never seriously arisen, although many lawyers have examined the Bill from beginning to end on every possible point. I think the Bill has received the approval of the Minister of Justice from beginning to end.

Mr. COWAN. This section provides for two meets in the year of seven days each. I think there are cases where the association only holds one meet a year. It seems to me that the Bill should make provision for cases of that kind, that it would be a better thing to make provision for, say, a 10 day meet, where the association has only one meet a year.

Mr. MILLER. I may say in reply to the hon. gentleman that there has been no willingness and no anxiety on my part in effecting a compromise to accommodate the Bill to every possible contingency or racing or gambling interest. I utterly refused to do that. The solicitors appearing for the racing association contended for an eight day meet throughout, and I said that if the number of days were not reduced to seven there would be no compromise at all. Now, we cannot legislate in one way for the eastern part of Canada and in another way for the western part, in our Criminal Code. The argument that was made for perpetuating race-track book-making at all was that racing was necessary to improve the breed of horses, and that book-making was necessary to keep up the races. Now, a gentleman from the city of Vancouver who is representing horsemen there, asked me to consent to the very thing the hon. member for Vancouver (Mr. Cowan) has just suggested, and his reason was this: He said, We have no race-horses in British Columbia, our horses all come from Texas and California, and they will not come for a seven day meet. I said in reply that if horse-racing is necessary for breeding good horses, and if book-making is necessary for racing, I do not think it is any part of the duty of the legislators of Canada to give special terms to racing men in Vancouver to improve horses that are bred and owned in the states of Texas and California.

Mr. CONMEE. I think there are some places in Canada where the Bill will work a little hardship. I agree with the hon. member for Vancouver (Mr. Cowan). According to the Bill, any association that holds two meets during the year can have races for 14 days within the year. Surely it would not be too much for an association that is supposed by its by-laws to hold only one meet, to have that meet last 10 days. Take the town in which I live, it is a long way from the general settlement of Ontario on the east and from Manitoba on the west. They have races there, and horses come from both the east and the west, not American horses but Canadian horses, and I do not believe they would come for a seven days meet. The proposition, not to increase, but to reduce by four days the racing on that track, is not asking the hon. member to yield anything. How can it work any hardship? I support the suggestion of the hon. member for Vancouver.

Mr. COWAN. I made the suggestion because I think it would bring this compromise more in line with the original Bill which I supported. I can see no necessity myself for two meets in the year. I think it is our duty to encourage a reduction of the number of meets and encourage it in that way. Why do you insist on having two meets in the year? For my part I would be quite content if there were only one. But I think the least we can do is to make some provision which will be an inducement to the association to limit the number of meets to one a year. Probably it is not the number of days that each meet continues that brings the evils altogether, it is the number of meets as well. I think that the association which chooses to have only one meet in the year is doing much less to aggravate the evils of betting and race-track gambling than the association which has two meets. I think it is right that we should hold out some inducements to these associations which limit the number of their meets to one a year. I am prepared. I will prepare an amendment.

Mr. MILLER. I hope the hon. gentleman will not press his amendment for the reason that his amendment will not necessarily reduce the number of meets. The hon. member wants to make it optional as to whether a racing association will have two meets of seven days in the year or whether it will choose to have one meet of ten days. Wherever it will be possible to hold two meets they will have them, but if it is impossible to hold the two meets they will hold one meet of ten days. I am told that the undesirable, obnoxious crowd that the hon. gentleman himself spoke of as frequenting the race-track are much less likely to attend and follow a short meeting than they are a long meeting, and after six or seven days the racing becomes utterly bad, while it may be comparatively respectable for the first six or seven days. For these reasons, I am utterly opposed to the long meeting, and I hope my hon. friend will not press his amendment.

Mr. CONMEE. I must disagree with the hon. gentleman (Mr. Miller).

An hon. MEMBER. What do you race there?

Mr. CONMEE. We race some very good horses, not all owned by ourselves, but horses coming from a considerable distance. I do not wish to be understood as saying that we have no good horses, because we have. I hope the hon. gentleman will not take the ground that this Bill is, like the laws of the Medes and Persians, unalterable, and that no change can be made in it under any circumstances. Here is a proposition that is in line with my hon. friend's argument from start to finish. It reduces and does not increase. It diminishes the number of meetings and diminishes the number of days. I do not agree with the idea that associations which hold their meetings for ten days are controlled by less reputable men or conduct their races less carefully, or that the class of people that attend a ten days' race-meeting is not equal in intelligence and otherwise to those whom you would meet, perhaps, at other places. The circumstances and the locality might make a difference. I am told that in the west a great many of the associations prefer one meeting in the year of ten days rather than two meetings. That is the case, I know, at the head of the lakes, and I do not like the idea thrown out that because of the extra three days the attendance there is disreputable in any respect.

Mr. NESBITT. They can race as long as they like, but they can only sell pools for seven days.

Mr. CONMEE. I do not think that is so.

Some hon. MEMBERS. Carried, carried.

Mr. COWAN. I do object to the disagreeable accessories of race-meetings to such an extent that I want to see only one race-meeting in the year instead of two where that can be brought about, and I think it is perfectly in line with the original amendment as brought in that we should do everything we can by way of encouragement and restriction to limit the number of meetings in a year.

Some hon. MEMBERS. Carried, carried.

Mr. DEPUTY SPEAKER. The hon. gentleman (Mr. Cowan) requests a moment to

formulate his amendment, and I presume the committee will grant him the time.

Mr. COWAN. I do not wish to break in on the compromise, but I think that my hon. friend who is promoting this compromise knows perfectly well that that is a principle that he and I and the rest of us should favour. I think that we should do something towards limiting the number of meetings by way of encouragement, and I would like him to consent to the amendment I suggest, which can be worded later.

Mr. M. Y. McLEAN. I do not want, at this stage of the proceedings, to discuss the merits of the case. I think the promoter of the Bill has gone too far in his concessions already, but I, with others who have supported the Bill, am willing, for the sake of a settlement, to accept the compromise made between the parties more immediately interested. If those who opposed the original Bill are not willing to accept that compromise then we had better drop the whole thing and leave the law as it is at present.

Mr. FIELDING. I believe that the hon. member for Lisgar (Mr. Sharpe) has some reason to complain, because I requested him to be good enough to allow us to break in on the proceedings in the expectation that this would only occupy a few minutes. If it is likely to cause a prolonged debate, in fairness to the hon. member for Lisgar, I think that we should move that the committee rise, report progress, and ask leave to sit again.

Some hon. MEMBERS. Finish the Bill.

Mr. COWAN. I have just said that I do not wish to interfere with the compromise that has been reached, but I would ask the gentlemen who have agreed to the compromise to agree to the change I propose, because it is in the direction of the original Bill.

Mr. MILLER. If I thought it was I would at once agree, but it seems to be exactly the contrary. The hon. gentleman asks that we give an option to the associations so that they shall be able to choose as to whether they shall have two seven-day meetings or one ten-day meeting. If so, it is never impossible for them to have two meetings, that is their business; it is not the business of this House. Then, what they will do, if we amend the Bill as the hon. gentleman suggests, will be to hold one ten-day meeting until such time as they are able to hold two seven-day meetings, and as this would be extending rather than limiting the time, I refuse to accept the amendment.

Motion agreed to, and Bill reported.

Mr. MILLER moved the third reading of the Bill.

Mr. HENDERSON. Is it the intention to put the Bill through all its stages to-night, or will the members have an opportunity of looking it over?

Some hon. MEMBERS. Finish it up.

Mr. FIELDING. It can only go through by consent.

Mr. HENDERSON. I do not want to object to the Bill going through, but did not think the promoter would be anxious to have it read a third time without giving us an opportunity of reading it over. Of course, if it is not intended to reprint the Bill, delay would not be of much use.

Mr. SPEAKER. The Bill can only go through by consent.

Mr. HENDERSON. I cannot consent to or dissent from something I have little knowledge of. I would not want to express dissent, because the Bill may be such as I am instructed to support, but in the absence of an opportunity for consideration, I thought it only reasonable that the third reading should be postponed.

Mr. MILLER. It has been said that it is very doubtful whether the Bill would get through at all if it stands, and I hope the hon. gentleman will take my word for it that I made every effort to have passed into law the Bill which I introduced originally, and failing in that, I took the best substitute I could for my Bill. I ask the hon. gentleman (Mr. Henderson) to accept my statement that this Bill has been guarded as carefully as it was within my power to guard it.

Mr. HENDERSON. I have accepted a good deal from the hon. gentleman, but I stopped when he asked me to accept a motion to kill the Bill.

Motion agreed to, and Bill read the third time, and passed.

SUPPLY—ADMINISTRATION OF THE DEPARTMENT OF AGRICULTURE.

House resumed adjourned debate on the motion that Mr. Speaker do now leave the Chair for the House to go into Committee of Supply.

Mr. W. H. SHARPE (Lisgar). Mr. Speaker, before you left the Chair at six o'clock, I was speaking of the combines and mergers which harass the people of the west, and as another illustration of how we are held up by mergers and combines, I will instance the cement combine. Cement is coming into general use throughout the country, and last year the town of Manitou, in which I reside, and which has

a population of about 1,000, put down cement walks costing $13,000. Had that town bought the cement since the merger, it would have cost the people between $1,200 and $1,400 more than it did. If the Minister of Agriculture is looking after the interests of the people, it is his duty to take measures to prevent such combinations in this country. The hon. gentleman took three and a half hours to explain to us what he had done for the people of Canada, but when we look at his record during the past fourteen years as Minister of Agriculture, we are compelled to come to the conclusion that he has done very little indeed to improve the condition of the people. The fact is that he has simply followed the beaten path trod by the Conservative government before 1896, and whenever he departed from that path he has found, and we to our sorrow have found, that he has invariably come to grief. His cool curing of cheese experiment is an example. He constructed four cool curing stations respectively at Brockville, Cowansville, St. Hyacinthe and Woodstock in which to demonstrate to factory men the increased money there was in the cheese business from properly curing the cheese. From the outset the experiment was not on a practical basis. On these four stations the minister spent $45,000 for construction, and he ran them for five years at a cost of $137,300. Against that outlay he had a revenue of $82,029.22, leaving a loss on operating account of $45,270. It is easy enough to understand that the cool curing of cheese is a good thing, but what the cheese producer wants to know is something about the financial results. The minister has never revealed this, and when one looks at the Auditor General's Report for the years in which these curing stations were in operation, it is easy to understand his silence. Right at the start, he began purchasing from the factory men cheese to the value of $47,514.94, and after curing it in his model stations, he sold it for $47,385 or $129 less than he paid for it originally. In this loss there is not one cent included for the cost of handling, the cost of curing, the cost of insurance, or the interest on the investment, and any one knows that it will cost a good many thousand dollars to handle a business of $47,000. It will, therefore, be seen that this attempt of the minister to butt into the cheese business in order to show the factory men how to increase their business, was quite an expensive affair for the country. It may be urged that the operation of the curing stations was more or less experimental, but there was nothing experimental about the transaction in the cheese itself, which after having been bought and paid for and cured was sold at a loss. That is a mighty poor business proposition. The stations, however, were not an experiment. They were intended as a demonstration. They undoubtedly did some good. But how much more would they have done had they been conducted along business lines and afforded factory men financial as well as technical proof of the value of cool curing.

That is only one of the many times the hon. minister has made blunders in connection with his department. At the time he started in to show the farmers' wives throughout this country how to fatten chickens, he bought a dollar's worth of feed and fed it to a dollar's worth of chickens, sold the product for a dollar, and tried to figure out a profit. But he is great on the poultry department. Some time ago during this session I took a trip to the Experimental farm, and I found conditions there in what I considered very bad shape. After I came back I asked a few questions in regard to the poultry department, and I found that they had 320 head of poultry there, and that it took five men to look after them. One of those men received $1,500 a year, another $1,300, another $640, another $620, and another $500, making a total of $4,560 to look after 320 hens. The revenue from that department during ten months of this year amounted to $350.87, and the feed would have to be bought out of this. I want to say to the hon. minister that while these conditions are here at Ottawa at the present time, if he would take time enough to visit the Agricultural College at Guelph he would find one man there, employed at $35 per month, looking after over 1,000 head of poultry. I may say that our poultry department on the Experimental farm here was started 22 years ago, and it has been on the same three acres during those 22 years.

Taking the report of the Agricultural College at Guelph, we find that the best results are not obtained by keeping fowl on the same ground all the time. For the information of the House I will read what that report says on that point.

> Our experience is that in order to grow the best chickens at the least cost and as quickly as possible, one must be careful to put them on new or untainted ground. We find year after year that where we raised chickens on new ground, they grow faster and make larger birds.

Still with this evidence before him, the minister continues to keep the fowl and tries to carry on experiments on this little three acres of land at the Experimental Farm. I might also say that the buildings which they have there are all long out of date. We are liable to look lightly on the poultry department; but I want to tell you that while we in Canada have not started in to experiment at all in poultry raising in connection with the experimen-

tal farms throughout the country, yet the revenue which we received from poultry last year amounted to over $25,000,000. In the United States, where they have experimented to a certain extent, the revenue from poultry amounted to over $600,000,000. This is only a sample of the conditions prevailing at the Experimental Farm at Ottawa. The hon. minister this afternoon spent a great deal of time on the Health of Animals Department. The most deplorable thing, in connection with that department is that when we ask the hon. minister a question, very often we cannot depend on the answer we receive. For instance, last year, in Committee of Supply, I asked the hon. minister why he kept five veterinary surgeons in the city of Winnipeg and paid them over $10,000 a year. He answered that the five veterinary surgeons in Winnipeg did all the veterinary work throughout the province of Manitoba. But I had a list, which I have before me to-night, showing that they had paid out to other veterinary surgeons outside of Winnipeg, and within the bounds of Manitoba, over $6,000. I consider that it is a very serious state of affairs when we cannot get an answer that we can depend on from one of the ministers. The hon. minister had told us what great things he was doing, and how cheaply he was getting them done. But during the year 1905, which was the last year that the Roblin government had control of the health of animals for the province of Manitoba—the next year they turned it over to the Dominion government—it cost the province to look after the health of animals $3,655, while last year this government paid for the same service over $16,000, besides paying something like $15,000 for the slaughter of animals. Then, there is the quarantine inspection. You will remember, Mr. Speaker, that in 1908 we had a general election in the Dominion of Canada. They had to get up a party fund in some way for some of their friends, and we found them getting up a small-pox scare throughout the province of Manitoba. They appointed ten frontier quarantine inspectors in my constituency, and in other constituencies in southern Manitoba, and they paid them $508.06 each of the people's money. Since then I have inquired of other doctors in southern Manitoba, and without one exception, they have all told me that they never heard of one case of small-pox during that whole year in southern Manitoba.

Mr. STAPLES. Who were the men?

Mr. W. H. SHARPE. I have a list of them here: Drs. A. Bradford, J. A. Carter, E. J. Duncan, R. S. Thornton, J. C. Riddle, E. Henderson, L. B. Scott, M. Wallace, Dr. May and T. D. McKinney. They all received $508, except Dr. May, and he received $250. Now, I want to say, Mr. Speaker, that that year, as I said before, was the year of the election. I travelled from one end of my constituency to the other a good many times, and I am ready to make an affidavit at any time, that I never heard of a small-pox case during that whole year.

An hon. MEMBER. Are they Grits?

Mr. W. H. SHARPE. They are all good Grits.

Mr. SCHAFFNER. It is not necessary to state that.

Mr. W. H. SHARPE. Some of these gentlemen never sent in a report at all. Some of them, only one, and one wrote to the department and said, tell me where you heard there was some small-pox so that I can get a case, or words to that effect. When I asked the minister for the return in connection with this matter of the appointment of these inspectors, he absolutely refused to furnish it and said it was not the custom of the House to bring them down. These men are good party workers and I want to say right here, that the quarantine inspectors and the custom house officers at Gretna were the best organizers that the reform party had in the whole of my constituency. They took an active part in every way possible, in every election in that part of the country. Now, we have 34 of those quarantine inspectors throughout Alberta and Saskatchewan. These men draw $65,258 of the people's money, and if they are anything like the quarantine inspectors we had throughout the province of Manitoba, it is no wonder there are not many members on this side of the House from those two provinces. The minister does all this under the name of agriculture. This money, I claim is being spent largely as an organizing scheme for the reform party, and before I take my seat, I want to tell the hon. minister that as far as I am concerned, and as far as I have heard from other members on this side, he will not find any criticism at all of any legitimate expenditure that he has a mind to bring forward. I would willingly support the hon. minister, if he spent ten times what he is spending to-day in the interests of the agricultural people throughout this country, because we must remember that the man who made this country what it is to-day, is the man behind the plough, and I would appeal to the hon. minister to put forth an extra effort and try to give him a fair deal, in this great country.

Mr. SCHELL. I do not propose to occupy the attention of the House at any length, but there are a few statements made by the hon. member who has just taken his seat, to which I wish to reply.

Agriculture in the Dominion of Canada occupies a position of which we are all proud, irrespective of party affiliations and notwithstanding what may be said for political effect or from a partisan standpoint. The work that has been done by our Minister of Agriculture during the last 12 years stands out clearly as evidencing progress and development on lines that make for agricultural betterment, in every sense of the word. I am sure it is not necessary for me or for any member of this House to occupy the time in substantiating what the Minister of Agriculture has placed before us this afternoon. The statement that he has made, I am sure will meet with the approval of the people of this country, when they have an opportunity to read what he has presented to us. The hon. member who has just taken his seat, has endeavoured to make a point against the department by claiming that our agricultural exports have not increased during the last two years and he quoted three or four of our products, namely, cattle and cheese and butter and one or two others. He took as his basis, the years 1903 and 1904, as compared with the years 1908-9. We all know that the exports of those products have decreased somewhat, not very materially, in fact I do not know but that the exports of our dairy produce are a little more than they were last year, perhaps not quite as much as they were in 1903-4. But there is a good reason for that. Those years 1903-4 were exceptional years for the provinces of Ontario and Quebec. The pasturage was exceptionally good and our exports were correspondingly large, especially of cheese and butter. Those products have, I maintain, not decreased materially, although as I say, they have been a trifle less probably within the last three or four years, than they were during 1903 or 1904.

Mr. THORNTON. How much have the exports for instance of butter, cheese, ham and bacon decreased, in say 1907, 1908 and 1909. How much per year?

Mr. SCHELL. In 1908, the exports of our dairy products amounted to a trifle over $21,000,000. This last year they were almost exactly the same. The general manager of the Bank of Montreal, in his annual address, said that our dairy products were larger this year than they were last year. I think that if we had the complete figures we would find that the last year's exportation is a little larger than that of the preceding year. Taking our total exports, which I contend is the proper basis on which to view this question, we find this difference:

Year.	Exports of purely agricultural products.
1896..	$14,083,361
1909..	71,997,207

Mr. SCHELL.

This is an increase of over 400 per cent. Of animals and their products the figures are:

Year.	Amount.
1896..	$36,507,641
1909..	51,349,646

Mr. HENDERSON. If the hon. gentleman would take 1874 he would find the difference would be still greater.

Mr. SCHELL. In 1885 our agricultural exports were only about $23,000,000, including animals and their products.

The total exports of agricultural products and live stock and its products were:

Year.	Amount.
1896..	$ 50,591,002
1909..	123,346,853

I contend that those figures are the clearest possible evidence as to the growth and development of this country on agricultural lines. The hon. member referred to the increase of our exports of manufactured goods as being something to be proud of, and certainly the increase has been large; but taking our exports as a whole or taking our agricultural products as a whole and compare them with all our other products, I find the percentage of increase has been as large as or larger than in the case of our other exports. We have had an increase in our exports of about 120 per cent in the twelve years. During that period our population has only increased about 30 per cent, so you will see that the increase per capita has been very material. If you take into consideration the increase of population during that period, you will find that it was something over 1,500,000, and the increase in consumption owing to that increase in population amounted to at least $75,000,000 yearly, and in that fact we have perhaps the strongest possible reason why our exports of dairy and meat products have not increased as we would desire. We all know that the provinces of Ontario and Quebec are the principal provinces for the production of dairy products. With the increased demand by reason of the trend of our population to the towns and cities, by reason of the increased purchasing power of our population caused by better times, all our dairy products are finding an increased home market. Considering also the fact that the population of these provinces has not increased in the same proportion as that of the rest of Canada, it is not reasonable to expect there would be the same increase in these particular products. The western provinces have become consumers to a very large extent of our dairy products. When we consider the whole of our agricultural products, which I contend is the only proper basis, we are able to see at a glance that we are making very rapid progress on the line of agricultural development.

I have here a few figures in connection with the live stock trade of the United States, to show you that in the neighbouring republic their exports of meat products have not kept up in proportion to the growth and development of the country. Their exports of cattle were:

Year.	Value.
1896..	$38,273,132
1907..	33,796,425
1908..	24,034,193

For the nine months of 1909, 75,000 less cattle were exported than during the year 1908.

Michael Ryan of the Packers Association of the United States said:

> Unless many more cattle are grown there cannot be a lower price, and America may find itself an importer of meats.

And Mr. J. J. Hill recently made the statement that in his opinion it would be only a few years when the United States would be importers of all kinds of farm products and inside of ten years he predicted they would be importers of wheat. Thus I contend that the argument the hon. member for Lisgar (Mr. Sharpe) was endeavouring to make that our agricultural exports were not increasing as rapidly as they should, has really no foundation in fact. The progress we have been making on agricultural lines has been such as to attract the attention of people in foreign countries to the condition of agriculture in Canada. Only two years ago, in 1908, a commission of Scottish farmers visited Canada to gather information and ideas in regard to Canadian agriculture, and the compliments paid by that commission to the Dominion of Canada on agricultural lines are something of which we have reason to be especially proud. It was only last year that the live stock commissioner of Denmark, Mr. Peter Morteborg, visited Canada. I had the pleasure of meeting that gentleman, he called on me, and I am sure he was particularly impressed with the advanced position we were taking in agricultural pursuits.

Reference was made to the cool-curing rooms established by this government for handling and curing cheese, and figures were presented in the endeavour to show that the investment was not a paying one. I happen to have some personal knowledge and experience of the work done by the station established in Woodstock, being closely associated with one of the largest factories in that neighbourhood. We found that by having the cheese cured under the system there established we were saving from a pound to a pound and a half on each cheese, which means from 16 to 18 cents per cheese saved under the system of curing that was there inaugurated. Not only was it proven that there was a saving in weight by curing under those conditions, but we also found that we had a better product in the cheese, making it more valuable. Further experiments which were carried on proved that fact absolutely to the satisfaction of the patrons of the factory I refer to, and of other factories whose cheese was put into that curing room as an experiment. Instead of showing a loss of a few thousand dollars, as the hon. gentleman endeavoured to show to-night, it has effected a saving of thousands, and tens of thousands of dollars, indeed I think I am safe in saying of hundreds of thousands of dollars, to the cheese industry of the Dominion of Canada. So much was the value increased that throughout the western part of the province of Ontario our cheese factories have established a system of cool curing by storing ice for use during the summer months. I am sure that the work that is being carried on by the Minister of Agriculturre, whether you consider the live stock branch, the health of animals branch, the seeds branch, the experimental farms, the dairy department, or any other department you wish to investigate, that work will commend itself to the good judgment and the honest judgment of the people of this country.

Mr. C. J. THORNTON (Durham). I desire to make a few remarks on the subject introduced by the Minister of Agriculture. It has been well said and often repeated during this dicussion that the Agricultural interest is of the first importance to this country, and there can be no disputing that fact. In discussing this matter I wish to be fair to the Minister of Agriculture. I would not for a moment take the position that no good has been done by his department; I wish to give him, and his department full credit for whatever benefits they have conferred upon the country. But I could not admit for a moment that all has been done that should have been done, because I think the facts will prove the contrary. As I said, I wish to discuss the question in a fair and impartial manner, because it is the good of the country that I desire above all things, rather than that of party. As agriculture is the foundation of all the other industries, I think it is deserving of the most attention at our hands. Now, when I entered this House the idea was uppermost in my mind that the agricultural interests were the most important we have to consider, and I thought the Committee on Agriculture would perhaps be one of the most important committees of this House, and that it would have questions of the very highest importance to deal with. At the close of last session we found that nothing had been done by that committee except to sit and listen to lectures from professors from the experimental farms.

As a humble member of the committee I thought that was only preliminary to the introduction of more serious work by the committee. But this session also I have found that the committee paid less attention to the subject than it did last session. It was weeks after the House met before the committee were called together for organization, and there has been no meeting of that committee since the month of February. The chairman of that committee is the hon. gentleman who has just addressed the House (Mr. Schell). It seems to me that committee has been negligent in looking after the interests of the farming population of this country. In making this criticism I do it with the honest purpose of directing the attention of the minister to the subject, and I hope he will receive the suggestions I make in the same spirit in which I offer them. That committee is called the Committee on Agriculture and Immigration, and there are many pressing questions before the country to which it ought at once to turn its attention. Now, there is one very serious problem among others to which I wish to refer; I called the attention of the chairman of the committee to it at our closing meeting held a few weeks ago, because I thought that something would be done about it in the House during this session. The question I refer to is that of production and consumption, particularly as they relate to the products of the farm. That problem has become a very serious one in the older provinces where we find the population of the towns and cities increasing, in some cases at a very rapid rate, while the population in the rural districts is decreasing. As a result of the decrease of population in the rural districts, production must naturally decrease likewise. Of course it does not always follow that a decrease in population means a decrease in production, because one man can do more work in some lines on a farm now by means of modern agricultural appliances than two or three men could do years ago. But it is a fact that in the province of Ontario the rural population is decreasing, and I am told that the same decrease is taking place in Nova Scotia, New Brunswick and Quebec and the the result is a very large decrease in the amount of food stuffs produced.

Now, the superintendent of the fruit division, at the meeting of the Agricultural Committee last session, drew our attention to this problem which he said was facing us, and he proposed a solution of it. The solution he proposed was that the government should use the means at its disposal to encourage people to go back to the land. He cited an instance before the committee of a section of country where he was residing, I believe in the county of Middlesex,

when he was a boy, in which there were fifteen families each on a fifty-acre farm. He told us that these fifteen farms, with a total area of 750 acres, were now in the possession of one man, and that instead of fifteen families living on these farms, they are now combined into the one farm with two families living on it. He said that the rental per acre of that land for grazing purposes was only $2, whereas, if it were divided into small farms and planted with apples, it would be capable of producing $200 per acre. Mr. McNeill's solution of the question is that the land, instead of being made into larger farms should be divided into smaller farms, that more attention should be paid to the production of fruit, especially apples, and that the land should be made to produce that of which it is capable. There was a case brought to my attention just a few days ago. The hon. member for Kootenay (Mr. Goodeve) is personally acquainted with the circumstances that I am about to relate. An acquaintance of his has a fruit farm of small dimensions in British Columbia, and that he was producing from five acres of strawberries $1,400 per acre. This was the amount of gross receipts in 1909. He is not getting any extravagant prices for his strawberries. They averaged him not more than ten cents per box, but he is making a fortune raising five acres of strawberries per year. The point I want to make is that this problem of production and consumption must be solved by the authorities of this country, and that means the Minister of Agriculture and his department, because that is the only department that can handle it. The problem must be solved, and it must be solved in that way. It is a broad question, but it is worthy of the attention of the minister and of the department, and I would say without any feeling of animosity or any desire to stir up party controversy whatever, that this question should receive the most serious attention of the Minister of Agriculture. He should take hold of it in a broad way. I believe there is a solution of the difficulty, but it requires to be shown that the land is capable of producing far in excess of what it is producing to-day. There should be more tillers of the soil. When we touch the question of making the land more productive, we are face to face with the labour problem. One of the difficulties that faces the farmer to-day in older Ontario is the scarcity and dearness of labour. I believe that a good class of experienced farm labourers could be had from the older countries. I saw a letter only yesterday from a member of the Ontario legislature who has been for several weeks in England, in the counties of Sussex and Kent, and he says that there are many hundreds, and,

I presume from what he says thousands of experienced farm labourers in these two counties who are willing and anxious to come to Ontario and work on these older farms. If that is so, the labour problem can be solved. The chairman of the Committee on Agriculture has made some statements with regard to the export of agricultural products, and especially of dairy and hog products that are not borne out by the facts or by statistics. There is no question at all, but that the export of fine dairy products, such as butter, cheese, eggs, bacons and hams, is decreasing at quite a rapid rate. The export of hams and bacon is decreasing at the rate of $2,000,000 a year. There is no question at all but that the farmers are not taking hold of the hog industry as they should. The Minister of Agriculture will know, as well as every farmer who has experience, that one of the chief reasons for the decrease in hog production is the fact that the farmers have at least been caught three times with large stocks on their hands when the packers thought they could take advantage of them, and they were compelled, at a tremendous sacrifice, to sell their hogs away below cost price. It is not a difficult thing to fool the farmers a few times, but they cannot be fooled too often, and there is no question but that one of the reasons of the light production of hogs to-day is that if the farmers loaded up with hogs they do not know what the consequences might be within a year and a half, because it would take that time for the farmers to get hogs enough ahead to be worth while. Perhaps the main question with the farmer, in so far as production is concerned, is the question of labour. So, I think that the minister should take hold of this question in a serious way. A great improvement might be made, here in the older province of Ontario at least, if the people could be led to see that there is money to be made out of farming on small farms in a way that they do not appreciate to-day, and until they are convinced of that they will never get back on the land. One of the problems is to educate the farmer along these lines. These are important questions. I started out with the question of the scope and work of the Committee on Agriculture of this House, and I think that the committee should take hold of this question. The Minister of Agriculture should lead in it, and I know that a majority of the members of the committee are anxious that some effective work should be done by the committee along these lines. I think they are perfectly willing to do it in a manner altogether free from party spirit. Unless something is done to better the condition of things in the older provinces there is a serious problem ahead of the people living in these provinces. I trust the minister will give this matter his most serious consideration.

Dr. EUGENE PAQUET. (L'Islet). (Translation). Mr. Speaker, the hon. the Minister of Agriculture is right in requiring a larger vote than that of past years with a view to favouring the several progress of agriculture. I will always concur with pleasure in the granting of sums of money for the purpose of promoting agricultural reforms. These are badly required in the district of Quebec, for the population of the magnificent parishes on the banks of the St. Lawrence is yearly dwindling.

The minister might secure the progress of agriculture by establishing an experimental farm in the eastern portion of the province of Quebec. I will not, however, enter this evening into the reasons prompting us to insist upon an experimental farm in the Quebec region. They are well known to the head of the department.

We are in a position to appreciate the beneficial results of the fruit station established at the village Des Aulnaies by Auguste Dupuis. Such a station in our region has already become a source of very marked progress.

The Minister of Agriculture of the Quebec government has established an agricultural society in the county which I have the honour to represent. Farmers may derive great benefit therefrom and the work would be greatly helped by the establishment in connection therewith of a bee culture station. We are now making that request, in support of which you will allow me to read a petition sent by one of my electors to the hon. the Minister of Agriculture:

PETITION.

Village des Aulnaies, April, 1910.

To the Honourable Sydney Fisher,
Minister of Agricutlure,
Ottawa.

Sir,—I have the honour of calling your particular attention to the importance of beeculture in the province of Quebec.

That branch of agriculture which you have long appreciated and encouraged has progressed since the farmers have adopted the newer methods and the modern mobile hive.

All farmers who have followed the practical methods and advice of lectures on bee culture have realized excellent profits and are naturally more interested than ever in the art. The number of hives has materially increased in all the different counties of the province.

This increase would be more than doubled every year, Sir, if an experimental bee culture station were established under the auspices of the federal government in our portion of this province.

These experimental bee culture stations would attend to the numerous requests for hives which are yearly increasing it they would be in a position to dispose of the hives

on somewhat better terms than private dealers.

You are aware, sir, that I am the only specialist in bee culture. I find that the business pays. I have sold hundreds of hives since 1875 at $10 a hive, and I have studied and practised the art of artificial swarming.

As a rule farmers find that $10 is too much to pay for a hive in the spring, the more prosperous alone can afford one or two at that price; the greater number do not buy and the development of this important industry is therefore greatly retarded.

The establishment of a bee culture experimental station would therefore be very useful to farmers who are anxious to go into that branch of agriculture, by enabling them to obtain hives on better terms.

Moreover, and this, sir, is an important consideration, farmers in the eastern portion of the province would enjoy the great advantage of being able to obtain information and lessons in bee culture without being obliged to incur the loss in time and money entailed by a journey to the Central Experimental Farm at Ottawa.

The location of a bee culture experimental station would be easy to find as I have the honour of placing at the disposal of the minister my own apiary and laboratory, which, after the spring sales, will contain one hundred modern hives, of the Jones type, considered the best for cold countries. I have seen them in use in Switzerland, in 1889. My apiary is at the village Des Aulnaies, in the county of L'Islet, on the banks of the St. Lawrence, an ideal spot surrounded by meadows bearing during the spring every species of plant favourable to the making of honey and quite close to extensive orchards, containing not only fruit trees but also ornamental trees such as acacia, linden tree, chestnut tree, willow, poplar, aspen and alder. All these trees bear the pollen and nectar indispensable to successful bee culture, more especially with respect to the feeding of larvæ in the spring.

You are also aware, sir, that this establishment is in close proximity to the fruit farm and experimental station of Des Aulanies, managed by my brother Auguste Dupuis, to which farmers come from all parts of the province to study the culture of fruit trees. The success of this establishment is in a measure due to the presence of the bees who are the very best cross breeders of fruit blossoms.

The establishment of a bee culture experimental station in such a spot could not fail to succeed and numerous visitors would derive benefit from the object lessons to be had there both in horticulture and apiculture.

Another important consideration is the absence in the eastern portion of the province of that disease of the hive called 'foul brood'; it is unknown from the county of Yamaska on the south shore and from the county of St. Maurice to the north. The Agricultural Association of the county of L'Islet has a membership extending from the counties above mentioned to the peninsular of Gaspé. Directors and members of the association use every effort to prevent this plague of the hive from spreading here; lectures are delivered and the importation of hives and of queen bees from infected districts is guarded against. You will readily understand, sir, the importance of such an experimental bee culture station; it might save the district from a great danger by the breeding of queen bees. The disease having been originally introduced into the province by the importation of queens from abroad.

I am in a position to state that such importations, made with excellent intentions of improving the breed of bees, has been attended in many cases with disastrous results to the apiarists whose hives I have inspected since three years.

In conclusion, sir, should you decide to establish an experimental bee culture station in this portion of our province, I should be glad to be appointed to conduct it if you consider that my services, personal experimentation and observation and my studies in Europe of the best methods of breeding render me competent to do so.

And your petitioner shall ever pray.

LUC DUPUIS.

This petition is deserving of our support, and I now request that the hon. the Minister of Agriculture will establish a bee culture station as requested.

Bee culture is a very important branch of our agricultural industry.

I hope that when he is next heard from, the Minister of Agriculture will give us his opinion on the subject.

The administrative routine of a department is a matter worthy of attention. On the 17th March, 1909, the Minister of Agriculture declared that he had organized, in 1907, a French translation office in his department. The departmental documents translated into French are most useful and necessary to secure the progress of agriculture. Their immediate translation enables French-speaking farmers to study them and reap the benefit of their contents without delay.

All the English-speaking ministers should have a French translation office in their departments. The work done by the Department of Agriculture might be undertaken in all the others with the same results. They might easily secure the services of a competent staff of translators. The hon. the Minister of Agriculture understands the requirements of the national life and I congratulate him upon it.

Motion agreed to, and House went into Committee of Supply.

Archives, $30,000.

Mr. GEO. TAYLOR. There is an increase of $2,000.

Mr. FISHER. Yes. The work is constantly expanding. Under Civil Government, I had to increase the staff somewhat. The number of documents pouring in to that office is so great that we have a great deal more work than formerly in classifying and cataloguing them.

Mr. STAPLES. This is a late hour to go into Committee of Supply to consider the estimates of the Department of Agriculture.

The minister has come down to-day in the same manner that he has done every session that I have been a member of this House. He waits for an opportunity to try to steal through this House the estimates of the most important department of this government, at a period of the session and at an hour of the night when there is scarcely a member in the House. I would ask the minister to look behind him and see how many members there are to vote the money to carry on the affairs of this department. It is not fair to the agriculturalists of this country. What was the spectacle we had this afternoon? The minister knew that if he proceeded in the regular way a great many members interested in this department would be here to ask questions, ascertain facts, and make suggestions, in order that the farmers of this country might be benefited. But the minister, feeling that it was too early in the day to go with his estimates, adopted other tactics. Before the Speaker left the Chair, he brought up the administration of his department, I suppose as a grievance. Well, I want to tell the Minister of Agriculture that the farmers of this country have a great grievance against his department. He gives them data almost as old as the Laurentian hills. When I first came to this House I heard the same speech that the Minister of Agriculture has given us to-day. I said to one of the old parliamentarians: 'This Minister of Agriculture is a crackerjack, well up in his department.' He answered: 'Wait till you are here a year or two; you will find he presents the same speech to this House every session, and he expects it to go to the country to convince the farmers of Canada that he is administering the department to the best of advantage.' He came here to-day to make a great play to the gallery. Before he began he looked around. I looked around at the same time, and what did I find? I found that he had some of his officials here to listen to his oration. I think it is not just to the agriculturalists of this country that he should come at eleven o'clock at night, at a time when there is scarcely a member in the House, and ask us to make provision for carrying on the affairs of his department. I have a great many questions that I want to ask the minister, and I purpose asking them. At the same time, I do not feel that it is fair to the members of this House who have been here very late every night this week to ask them to remain any longer. Under the circumstances, I move that the committee rise, report progress, and ask leave to sit again.

Mr. FISHER. I realize that it is late. I have no desire to force anything through. I think, however, that if we pass the item which has been called, which is not an agriculture item, it will not interfere with the opportunity of hon. members to discuss all the agriculture items. I have no intention of asking for more than one item to pass this evening, and I can assure my hon. friend that I will as soon as possible give hon. members another opportunity in committee to discuss all the agriculture items of the department.

Mr. CAMPBELL. I feel obliged to say a few words as to the conduct of the Minister of Agriculture this afternoon, when he made so many impertinent remarks to gentlemen on this side of the House.

Mr. DEPUTY SPEAKER. The hon. gentleman, I hope, will modify that expression.

Mr. CAMPBELL. Mr. Chairman, I might bring to your notice that the word impertinent has two meanings, but I will yield to your ruling if you still insist upon it.

Mr. DEPUTY SPEAKER. If the hon. gentleman states that his use of the word impertinent is intended to mean not pertinent, I will accept his explanation. In any other sense it would not be parliamentary.

Mr. CAMPBELL. Of course, Mr. Chairman, I will have to accept your ruling. There is only a little reservation that I might make. If any hon. gentleman in the House wishes to think I mean anything else, and the cap fits, he can put it on. We listened to an immoderately long speech this afternoon, and I wondered why it was given. I have the explanation from my hon. friend from Macdonald. It was surprising, when so many members were in the House wishing to discuss these estimates, that they were not brought up. I think that speech could have come at this hour with very much better satisfaction to the House than it did at the hour it was delivered. The speech reminded me of a phrase in the introduction to one of Mark Twain's books, where he said: 'I am so full of information that it exudes from me; in fact, it distils from me like the precious ottar of roses from the otter.' I do not wish to make a speech, but I wish to join in the suggestion of my hon. friend. I think a million dollars is very much too large an item to pass without discussion. If one item is desired I would suggest taking one of the smaller ones.

Some resolutions reported.

RETAIL MERCHANTS ASSOCIATION OF CANADA.

Mr. GERVAIS moved the first reading of Bill (No. 210) to incorporate the Retail Merchants Association of Canada.

Motion agreed to, and Bill read the first time.

Mr. GERVAIS moved the second reading of the Bill.

Mr. G. TAYLOR. No, no.

Mr. SPEAKER. If there is objection to the second reading, it must stand.

Mr. GERVAIS. I may state Mr. Speaker, by way of explanation, that there is a report which is printed in the procès verbal of the House, which declares it to be in accordance with all the rules of the House, and as the session is late, I do not see that there is any reason to send it to the Private Bills Committee.

Mr. G. TAYLOR. It must go to the committee.

Mr. LENNOX. There is no question about that.

Motion agreed to, and Bill read the second time and referred to Standing Committee on Private Bills.

Mr. FIELDING moved the adjournment of the House.

Mr. G. TAYLOR. May I ask the hon. minister what business will be taken up on Monday?

Mr. FIELDING. Private Bills, then we will take up the Naval Bill.

Mr. G. TAYLOR. And if that is concluded?

Mr. FIELDING. Then supply on the estimates of the Minister of Agriculture.

Motion agreed to, and House adjourned at 11.08 p.m

HOUSE OF COMMONS.

MONDAY, April 18, 1910.

The SPEAKER took the Chair at Eleven o'clock.

REPORT PRESENTED.

Annual Report of the Department of Printing and Stationery—Hon. Chas. Murphy.

QUESTIONS.

WILLIAMSVILLE POST OFFICE.

Mr. EDWARDS :

1. What revenue was received by the government from Williamsville post office last year?
2. Has the Post Office Department received petitions asking that the Williamsville post office be moved nearer the city limits?
3. Would such removal entail any extra cost for carrying the mail to and from the said post office?
4. Has the inspector at Kingston reported against a change in location of said office? If so, for what reasons?
5. Are all parts of the City of Kingston served by letter carriers?

Hon. RODOLPHE LEMIEUX :

1. The status of the Williamsville Post Office was changed to that of a sub-post office on the 1st April, 1909, and it is now known as Kingston sub-office No. 2. The revenue of the office for the year ended 31st March, 1910, was $605. Delivery of letters is, however, still continued at this office to certain patrons of the office living outside the city limits and who do not therefore participate in the convenience afforded the patrons of the office residing within the city limits of the delivery of correspondence by letter carrier.

2. A petition was received at the department asking that the office should be removed to a point about three-quarters of a mile from its present site and a short distance beyond the city limits.

3 and 4. The petition above mentioned was referred to the Post Office Inspector at Kingston on the 8th April, 1909, who reported that the proposed change could not be made without causing considerable inconvenience to the present patrons of the office, which was established over 25 years ago, and which has a money order and postal note business of considerable proportions. The inspector was of opinion that to deprive the residents of the locality of the privileges they enjoyed for many years would be a serious matter and he could not therefore recommend the proposed change in site.

5. The whole city is covered by letter carriers with the exception of the north side where no service exists beyond Russell Street and intersection of Montreal and Rideau Streets.

POSTMASTER AT TROY, N.S.

Mr. ARMSTRONG :

1. Has the postmaster at Troy, Inverness county, N.S., been dismissed? If so, for what reasons?
2. Has any investigation been made as to the cause of dismissal? If not, why not?
3. Has the Post Office Department been asked to make an investigation and have they refused to act? If so, why?
4. Was the contract for carrying the mail from railway train to Troy let by tender? If not, why not?
5. What is the amount of salary paid postmaster at Troy, N.S., and the amount paid for carrying the mail from Troy station to Troy?

Mr. LEMIEUX :

1. The postmaster of Troy, N.S., has been dismissed on representations made by the

sitting member on the ground of political partisanship.

2. In view of the representations made to the department, and the small revenue collected and business done, an official investigation was not considered necessary.

3. Subsequent to the appointment of the new postmaster, a protest was received from a resident of the place, with a request that the matter should be investigated. As stated, this was not considered necessary, in view of the information already received.

4. Yes.

5. (a) The salary of this office is $35 per annum. (b) The amount paid for the service of the office is $48.

WINNIPEG BEACH PIER.

Mr. BRADBURY :

1. Has the contract been awarded for the protection pier at Winnipeg Beach? If so, to whom was the contract awarded and at what price?

2. How many tenders were received for said work, from whom and what was the amount of each tender?

3. Was the contract awarded to the lowest tenderer? If not, why not?

Hon. WM. PUGSLEY :

1. (a) Yes. (b) John Lowry, of Ottawa, Ont. (c) $14,960.00.

2. (a) Six. (b) John Lowry, Ottawa, Ont., $14,960.00; John Gunn & Sons, Winnipeg, Man., $16,994.00ô Wm. Hurst, Winnipeg, $19,994,57; J. McDiarmid Co., Ltd., Winnipeg, Man., $20,300.00; Wm. Newman Co., Ltd., Winnipeg, Man., $22,926.00; S. B. Ritchie, Winnipeg, Man., $26,000.00.

3. Yes.

FERGUSON BALLOTING DEVICE.

Mr. GEO. TAYLOR :

1. Has the government made any examination of the Ferguson balloting device? If so, have they come to any decision with regard thereto?

2. If no examination of the Ferguson balloting device has been made, is it the intention of the government to cause such an examination to be made by a committee of this House or otherwise?

3. Is it the intention of the government to make any change in the present system of voting?

Hon. CHAS. MURPHY. No.

MAGANATAWAN WHARFINGER

Mr. ARTHURS:

1. Who is the wharfinger at Maganatawan?

2. When was he appointed and at what salary?

3. Has a change been made? If so, why?

Hon. WM. TEMPLEMAN :

1. Mr. Conrad Ross.

2. 6th April, 1910; remuneration 25 per cent of the wharfage collections.

3. No.

LETELLIER MAIL SERVICE.

Mr. STAPLES :

1. When was the last contract let for the carrying of the mail between the post office and the station at Letellier, Manitoba?

2. Who were the tenderers, and what was the amount of each tender?

3. Who was the successful tenderer and what was the price paid him?

Mr. LEMIEUX :

1. Tenders were due at the department on the 24th September, 1909, and a new contract was awarded beginning the 1st January, 1910.

2. E. Comeault, $160 per annum; Marcelin Montsin, $190 per annum.

3. E. Comeault, $160 per annum.

PATENT FOR HOMESTEAD.

Mr. MEIGHEN :

1. To whom was patent issued for S. W. ¼ 16-19-20, w. 4th, and when?

2. Did the patentee receive same as a homestead? If so, when did he enter and what homestead duties had he performed when patent issued?

3. What proof had the department that such duties were so performed?

4. If same was not granted as a homestead under the Dominion Lands Act, why was it granted, under what statutory authority, for what reasons, and on what terms?

5. Was the department in receipt of applications from others for this land as a homestead? If so from whom, under what dates, and why was each refused?

Hon. FRANK OLIVER :

1. Patented to Charles D. T. Becher, 21st April, 1909.

2. Not a homestead but a sale. No duties performed on this land.

3. See answer to Question 2.

4. This quarter-section was sold to Charles D. T. Becher at the rate of $1.00 per acre, under the authority of the orders in council of the 17th of January and 14th of November, 1908, (copies below). Reasons: Through inadvertence Mr. Becher was granted in 1890 a homestead entry for a quarter-section which had been withheld from settlement on account of its nearness to Edmonton. This entry was in consequence cancelled. The order in council sets forth that Mr. Becher, being under the impression that he would be allowed to retain the land, made improvements and proceeded with the fulfilment of the homestead conditions. It was, therefore, decided that he should be given some compensation for the loss of the land in question, and the order in council provided that Mr. Becher be permitted to

buy an available quarter-section of the class of land open to homestead entry, at $1.00 per acre. The order in council of the 14th of November, 1908, extended this privilége until January, 1909.

5. The departmental file shows two applications for the S.W. ¼ of 16—19—20—W. 4th M : (1). R. Russell applied for cancellation of the previous entry 30th April, 1907. The previous entry was cancelled in November, 1908. The file does not show what took place after cancellation. Under the regulations then in force the agent would require to give the applicant for inspection thirty days to make entry, at the end of which time, if not entered for, the land would be made available for the first eligible applicant. (2). C. C. Jordan applied for inspection 25th February, 1910. The agent issued cancellation notices, but this action was taken in error because the land was held under sale by Mr. Becher and not under homestead entry. The cancellation proceedings were therefore annulled.

DISALLOWANCE OF ONTARIO LEGISLATION.

On the orders of the day being called :

Mr. R. L. BORDEN. Mr. Speaker, I would like to know whether or not there have been any reports or orders in council as to certain legislation of the province of Ontario connected with the development of electrical power and the supplying of such power to the municipalities throughout the province.

Sir WILFRID LAURIER. That is in regard to the disallowance petition ?

Mr. R. L. BORDEN. Yes; and if the report of the Minister of Justice has been made and the order in council has been passed whether there would be any objection to laying them on the table of the House.

Sir WILFRID LAURIER. I do not see any, but I will consult with the minister about it.

NATURALIZATION LAWS.

Mr. R. L. BORDEN. I would like to direct the attention of the right hon. Prime Minister to a question that was asked in the Imperial House of Commons by Mr. MacMaster on the 4th April :

Mr. MacMaster (Chertsey, Opp.) asked the Under Secretary for the Colonies which of the governments represented at the Colonial Conference of 1907 had not replied to the request of the Inter-Departmental Committee on the naturalization laws; and whether, seeing the importance of the question, he could do anything to expediate the assembly of the subsidiary conference comtemplated in the resolution of the conference of 1907.

The Under-Secretary for the Colonies, Col. Seely, answered as follows :

The governments which have not replied on the question are those of Canada and New Zealand, and the Secretary of State is about to communicate with them further on the subject. The replies from the South African Colonies indicated that, so far as South Africa was concerned, the question must be left open for the consideration of the Union government and parliament.

I would like to ask the Prime Minister what is the reason of the delay in sending forward the reply alluded to, inasmuch as the subject is one of the greatest possible importance not only to the mother country but to all her Dominions throughout the empire.

Sir WILFRID LAURIER. The very reason is that given by my hon. friend (Mr. R. L. Borden) that the subject is one of very great importance and we thought that it would be a proper subject for discussion at the next imperial conference which would take place next year.

ST. JOHN VALLEY RAILWAY.

Mr. R. L. BORDEN. I observe in connection with a conference between certain gentleman in the province of New Brunswick and certain Liberal members of parliament and senators from New Brunswick, with the right hon. Prime Minister (Sir Wilfrid Laurier), the hon Minister of Public Works (Mr. Pugsley) and the hon. Minister of Railways and Canals (Mr. Graham) that the Prime Minister stated that :

Owing to an agreement which he had made some time ago with the leader of the opposition, that there should be no new legislation introduced this session, it would not be possible for him to have a Bill for the operation of the road put through before prorogation, and that part of the transaction would have to stand over until next year.

It is quite true that the Prime Minister intimated to me privately and also across the floor of the House what further legislation he proposed to introduce, but I am bound to say that I did not understand it as an agreement which would prevent the government from bringing in any measure which it deemed to be of public interest and in case it should have been otherwise understood by the Prime Minister, I entirely release him from any obligation in that regard with respect to this or any other such matter which may be regarded as of public interest.

Sir WILFRID LAURIER. The statement is not exactly accurate. I did not say that there was an agreement between myself and my hon. friend (Mr. R. L. Borden) but

I stated that as we had discussed, as we generally do before the end of the session, the matters that were to be brought forward by the government, and as I stated publicly what legislation we intended to bring in, and as this was not included it could not and would not be taken up.

Mr. R. L. BORDEN. I merely wanted to make it plain that the matter is entirely open in so far as I am concerned.

QUESTION OF PRIVILEGE—MR. CROTHERS.

Mr. T. W. CROTHERS. I wish to speak to a question of privilege. In the Toronto 'Globe' of Friday last, regarding some remarks that I made the evening before, I am referred to in these words :

Mr. CROTHERS. What I said was that I have not much respect for any chief justice appointed by the present administration, and I have nothing to retract in that regard.

To those who heard me on that occasion, or who have since read my remarks in 'Hansard,' it is needless to say that I said nothing of the kind. The report was possibly based upon an attempt made by the hon. Minister of Justice (Mr. Aylesworth) with some warmth, and, I think, with considerable unfairness, an attempt that I think unworthy of the position that he holds,—

Some hon. members. Order, order.

Mr. CROTHERS. To turn the words I used—

Mr. SPEAKER. The point of order is raised as to the words used by the hon. member.

Mr. CROTHERS. What is the point of order ?

Sir WILFRID LAURIER. The statement that my hon. friend (Mr. Crothers) made that my hon. friend the Minister of Justice (Mr. Aylesworth) used an expression unworthy of the position which he holds.

Mr. SPEAKER. If it is unparliamentary I suppose the hon. gentleman could modify it.

Mr. CROTHERS. The words I used were 'with an unfairness which I thought was unworthy of the position which he holds.'

Mr. FIELDING. I submit that upon a personal explanation my hon. friend cannot attack an hon. member. He can make the explanation for himself but he should not attack an hon. member.

Mr. SPEAKER. Perhaps the hon. member might modify the expression.

Mr. CROTHERS. Well, I will leave out that part of it—'unworthy of the position which he holds.' I say that he made an attempt with some warmth and unfairness—

Some hon. members. Order.

Mr. SPEAKER. I do not know why the word 'unfairness' is unparliamentary. 'Unfairness' is parliamentary.

Mr. FIELDING. I submit that the hon. gentleman would have a perfect right to call attention to what he deems a mistake in the press affecting himself, but he should not take advantage of a personal explanation to reflect upon another member of this House because that would provoke debate. That is my only point in the matter.

Mr. CROTHERS. What I was saying was that possibly the words I object to as appearing in the 'Globe' were based upon what the Minister of Justice had said in the attempt to turn the words I used into a reflection upon the present Chief Justice of Ontario who is a man and a judge above reproach; a man enjoying in a pre-eminent degree the respect and confidence and esteem of everybody. I made this statement in referring to the administration of the patronage system by this government:

Even the judiciary has not been spared the blighting influence of this pernicious system. In many cases in the province of Ontario the county court bench and in some of the other provinces even the high court bench has been prostituted to the necessities of political exigencies.

And last Thursday, the words I used were as follows:

The Minister of the Interior tries to shelter himself behind Chief Justice Howell, of Manitoba. Well, I am not very much concerned about Chief Justice Howell. I have not had the advantage nor disadvantage of an acquaintance with him. But I have lived long enough to know that a chief justiceship bestowed by this administration carries no guarantee against partisanship, and no guarantee for wisdom, humanity, or common every day honesty.

I think, Mr. Speaker, I have a fairly accurate knowledge of the meaning of words. On that occasion, I said just what I meant and meant just what I said; nothing more, nothing less. But what I said did not warrant the statement made in the 'Globe' newspaper, which I entirely repudiate. I may add that in my humble judgment the sooner we appreciate men by the manhood they display rather than by the positions they hold, the better it will be for the highest weal of this country.

NAVAL SERVICE OF CANADA.

Sir WILFRID LAURIER moved that the House go into Committee to consider the following proposed resolution:

Resolved, That it is expedient in connection with Bill No. 95, An Act respecting the Naval Service of Canada, now before this House, to provide that 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 that the Governor in Council may appoint an officer to be the deputy head of such department at a salary of $5,000 per annum, and such other officers and clerks as may be requisite for the due administration of such department, at such salaries as, under the Civil Service Amendment Act, 1908, are appropriate to the divisions and subdivisions of the services to which such officers and clerks may be assigned.

He said: I move this with a view of expediting the discussion on the Naval Bill to-morrow. I would like the motion to carry without discussion now and I will give the explanation to-morrow.

Mr. R. L. BORDEN. This is a purely formal step and we will have the discussion to-morrow on the Naval Bill.

Sir WILFRID LAURIER. Yes.

Motion agreed to, and House went into committee thereon.

Resolution considered in committee, reported, agreed to, and referred to committee of the Whole on Bill (No. 95).

CIVIL SERVICE ACT AMENDMENT.

House in committee on Bill (No. 205) to amend the Civil Service Act.

On section 2. R.S.C. 16, amended as to outside service.

Mr. ARMSTRONG. Would the minister explain what this means?

Mr. FISHER. The purpose of this clause is to correct certain anomalies that remained in the Act of 1908 and the old Civil Service Act. There is a clause in this Act which makes more difficult the passage of men from the outside service to the inside service. Heretofore they have been able to pass from one service to the other without restriction, but this Act provides that they must serve a term in the outside service before going into the inside service. The Department of Justice having gone over the two Acts carefully found certain anomalies and recommended this clause.

Mr. J. A. CURRIE. By order in council the members of the inside service are permitted to drill annually with their militia unit, if they belong to the militia. Last year an order in council was passed permitting members of the outside service to do likewise. Is that order still in effect and will the members of the outside service who are militia men be permitted to drill this year without losing time.

Sir WILFRID LAURIER.

Sir FREDERICK BORDEN. I know of no change in the order in council.

Mr. J. A. CURRIE. It still holds good.

Sir FREDERICK BORDEN. I presume it is still in force.

Mr. R. L. BORDEN. I do not know there will be any great advantage in that. It is the opinion of the Department of Justice, as I understand, that these clauses are at least unnecessary, and might in some cases be found inconsistent or embarrassing—that everything that is to be found there is provided for elsewhere, and therefore it is proposed to repeal them.

Mr. FISHER. That is the object of this section, and the clauses mentioned are such as my hon. friend has indicated.

Mr. BLAIN. I suppose that the minister has consulted the Civil Service Commission as to this legislation and has received their sanction?

Mr. FISHER. Most of these amendments are based on the report of the Civil Service Commission, which is on the table of the House, and they have all been submitted to the commission and approved of.

On section 3—time and place of examination——

Mr. FISHER. Under the old Act the qualifying and preliminary examinations were held only once a year. Under the Act of 1908 competitive examinations are held twice a year. For certain positions in the outside service, however, qualifying and preliminary examinations have still to be held, and this provides that they shall be held twice a year at the same time as the competitive examinations, and not to be confined any longer to once a year. This has been asked for by the Civil Service Commission and by the public.

Mr. R. L. BORDEN. What is 'the portion of the outside service defined by paragraph (b) of section 4 of the said Act?'

Mr. FISHER. Paragraph (b) of section 4 is as follows:

The second or outside departmental division which will comprise officers, clerks and employees of those classes mentioned in schedule B, and the other officers, clerks, and employees included in the Civil Service who are employed otherwise than on the departmental staff at Ottawa.

There have been certain parts of the outside service which in the old days were not included in the departmental staffs, according to the ruling of the Department of Justice. By the Act of 1908 all those who were in the city of Ottawa were brought into the inside service. That Act also provided in section 3 that the outside service shall consist of the rest of the public service. Therefore, according to the

decision of the Department of Justice, paragraph (b) of the original Act is no longer effective or needed.

Mr. ROCHE. Are there any special examinations held in addition to these regular examinations?

Mr. FISHER. At any time, when a department asks the Civil Service Commission for an officer of special qualifications, not a routine officer, the commission may issue an advertisement of the need of such an officer, specifying the qualifications required, and announcing a competitive examination for the office. Then that examination is held.

On section 4—transfer from outside to inside service——

Mr. ARMSTRONG. Am I not correct in understanding that this clause gives the ministers of the Crown the opportunity of bringing in from the outside service—by the back door instead of by the front door?

Mr. FISHER. If my hon. friend will refer to section 50 of the old Civil Service Act, he will find that it says:

> An exchange of positions between two officers serving in two different departments, or in different divisions of the same department, and the filling of a vacancy in the department by a transfer from another division of the same department or from another department, may be authorized by the Governor in Council to be made without examination of either officer.

Then subsection 3 says:

> No person shall be transferred from the outside to the inside division whose age at the date of his first appointment exceeded 35 years.

When the amending Act of 1908 was passed that clause was left unrepealed. The Justice Department has given its opinion that under that clause anybody may be transferred from the outside service to the inside service. Some occasions arose of propositions for such transfers. The Treasury Board discussed these, and very sparingly indeed allowed them to be not only justifiable, but in the public interest that this should be done; and when we came to consider the question, and discussed it, we drew up the amendment proposed in section 4 of this Bill. We restrict such transfers to officers who have served for at least three years in the outside service, so that the head of a department might have an opportunity to know the qualifications of such an officer before undertaking to transfer him to the inside service.

Furthermore, that it should be done on the report of the deputy, and as you will see from section 4 it should not be made to the third division of the inside service. Hon. gentlemen will remember that the third divison of the inside service is defined as a division where routine and other elementary work is done. It was not considered to be at all likely or practically to be possible that a person in the outside service should have the particular qualifications for the kind of work, although it might usually be thought that he should display qualifications for the higher order of work partly from his experience and knowledge and his service, partly, perhaps, by the fact that he had shown extraordinary capacity and personal qualifications. We therefore decided that in the first place no officer should be transferred until he had been three years in the outside service; secondly, that no officer should be transferred to the lower inside service, where purely routine qualifications are necessary, and then in the following section we provide machinery whereby the transfer shall be still more safeguarded. It is an amendment to restrict transfer from the outside to the inside service although it does not absolutely do away with such transfers. That is one of the objects of this Act dealing with many others which came under our observation.

Mr. ARMSTRONG. Are we to understand that the men who come in from the outside service have to undergo the same examination as the men who are coming in by the front door as it were?

Mr. FISHER. No.

Mr. ARMSTRONG. It is not necessary then for the men who have been in the outside service for three years to undergo any similar examination to those who are going into the inside service, but who have not already been in the outside service.

Mr. FISHER. At present, before this Act becomes law, a man may be in the outside service for a week, and be transferred to the inside service without examination. This provision restricts it; he must have been at least three years in the outside service and must have been able to show to his superior officers qualifications that are not only equivalent to an examination, but in many respects better than an examination; in the second place he shall have to go into the higher division where these qualifications and experience are necessary to qualify him for it. In the third place, as will be seen by examination of the next clause, he has to come in by report of the deputy minister that his qualifications and his services in the outside service are such as, if available in the inside service, would entitle him to the position to which he is to be transferred.

Mr. ARMSTRONG. Who makes that examination?

Mr. FISHER. There is no examination. It is the report of the deputy minister on

the qualifications of the man his experience and his knowledge of the business of the department.

Mr. ARMSTRONG. I cannot help feeling that these clauses are deserving of the severest criticisms, and I am surprised to know that the old Act allowed members of the outside service to come into the inside service without undergoing the same examination as others who were coming in as servants of the people. I would be surprised indeed, to think that the minister would allow men to go from the outside service to the inside service without proper examination, and I think the minister would be wise to have that looked into.

Mr. SCHAFFNER. Have they ever been examined when they entered the outside service?

Mr. FISHER. In some cases. Certain branches of the outside service used to require what was called a qualifying examination, and they do still but not all of them. In the post office department, in certain branches of the Custom Department, and in certain branches of the Inland Revenue Department they do. My own department also requires examinations for veterinaries who are entering the outside service.

Mr. SCHAFFNER. That has been a very easy way of getting into the outside service and from that into the inside service, and it looks that way yet. As I understand it, those in the inside service, now have to pass a pretty severe examination which I believe is all right. But I cannot understand why one should be taken from the outside service, even although he has had some experience, and on the advice and at the command of the deputy minister should enter the inside service, or why he should be in any different position from those who enter the inside service by way of examination.

Mr. FISHER. Under the old law there was no restriction at all. I may give an instance of the kind of thing. There was an officer in the outside service, I think in the Finance Department, in one of the Receiver General's offices, a gentleman who had shown a very considerable capacity and qualification for his work. There was an officer required in the inside service in the office of that department in Ottawa. It was obvious that this gentleman with his experience in the outside service was eminently qualified and fitted for the position. Such an officer was brought here to Ottawa and put into the inside service. He had been some years on the outside service, I do not know whether he had been three years or not, but if this amendment passes, he would require to have been three years in the outside service before he could be brought in. He would require to be brought into a part of the service where his experience and knowledge in the outside service would fit him for the position. I may say quite frankly that an experience of three years at least in the outside service, under the observation of his superior officers, and with the deputy minister possessing a knowledge of what he has done and what he is able to do, is looked upon and accepted as being as good as a competitive examination. Under the old law, they could be appointed in one service on one day and be appointed to the other service on the other. No such appointment has been made since the passing of the Act last year, and we do not wish to make any such, but we have placed here restrictions and safeguards, which in our judgment seem to be sufficient. I may say that since the Act of 1908 there have been only a very few, I think less than half a dozen, who have been so transferred in the two years.

Mr. ARMSTRONG. I thought we had a Civil Service Act that was really more serviceable than it is. As it is the back door is wide open and the front door is practically closed, or at least the men who come in by the front door have to undergo an examination, while the men who enter by the back door are political appointees of this government. After they have been three years in the outside service, then the deputy heads of the department can overrule the commissioners and put them into other departments at their will. You cannot call that civil service reform, surely.

Mr. BLAIN. Has that point received the sanction and approval of the Civil Service Commission Board of Examiners. In other words, are the board perfectly satisfied that their duties should be taken over by the deputy minister and that, instead of the board giving the examinations, the deputy minister is to be the examiner under this Act?

Mr. FISHER. I can only say in regard to that that the board and myself and my deputy minister discussed this whole question, and eventually this clause was evolved. I believe that the commission consider it a sufficient safeguard.

Mr. BLAIN. Was it at the suggestion of the commission themselves?

Mr. FISHER. The commission did not make any definite suggestion. They discussed it from various points of view, as I had in dealing with them. I went over the whole of the amendments with the commission and the commission have said to me, that the amendments as proposed here were on the whole satisfactory.

Mr. LENNOX. Could an officer of the outside service, under this clause, be transferred to a different branch of the inside service, or must he be transferred in the same department? For instance, the minister spoke of officers in the Receiver General's office being transferred to the Finance Department here. That would be a transfer within the same department. But could a person, in the outside of, say, the Post Office Department be transferred to the Public Works Department in Ottawa under this clause?

Mr. FISHER. I think that under the clause that might be, though that was not the intention. I should be quite willing to consider whether words could not be introduced which would provide that an officer, if transferred from the outside service to the inside, should be transferred to similar duties. I would not like to have it confined absolutely to the same department. For instance, a man might be an excellent engineer in the Public Works Department, and it might be desirable to transfer him to a position on the engineering staff of the railway department. The words of section 5 are restrictive, but they may not cover the point referred to by my hon. friend. Section 5 provides that:

No transfer shall be made, under the authority of this section, to the inside service except upon report of the deputy head that the duties performed in the outside service by the officer to be transferred are such as, if performed in the inside service, would entitle him to the position to which he is to be transferred, and that he is qualified for the duties of such position.

Mr. LENNOX. I think the minister (Mr. Fisher) is right in saying that it might be better not to confine transfers to the same department, as there might be a change of department with similar duties. As to what the minister said a little while ago, that experience took the place of examination and guaranteed faithful and efficient service as well as examination could, that could not be carried out unless the work to which the officer was transferred were a similar class of work.

Mr. FISHER. I appreciate that.

Mr. LENNOX. Another point: This section 4 provides:

—and no transfer shall be made to the third division of the inside service.

Does that mean no transfer of any kind?

Mr. FISHER. It means no transfer from the outside service.

Mr. LENNOX. I do not think that is clear.

Mr. FISHER. It ought to be; that was the intention. The whole clause refers to transfers from the outside service to the inside. When it says: 'No transfer shall be made to the third division of the inside service', that does not mean a transfer from another place in the inside service.

Mr. LENNOX. It might not.

Mr. FISHER. If my hon. friend would refer to section 50 of the present Act he will see that it provides:

An exchange of positions between two officers serving in different departments or in different positions of the same department, and the filling of a vacancy in one department by a transfer from one division in the same department, or from another department, may be authorized by the Governor in Council to be made without examination of either officer.

That all deals with the inside service—at least, we thought it did. The Department of Justice declares that it affects the outside service as well, and that under that a man may be transferred from the outisde service to the inside service. The amendments here proposed are in the nature of restrictions in regard to that transaction. This section 4 is to amend section 50 by 'adding thereto' the words enacted. And the same is true of section 5. I will consult with regard to the point raised, but the intention was as I have indicated.

Mr. LENNOX. It was because it is an addition to section 50 that it ought to be made clearer and more specific.

Mr. MURPHY. Would the introduction of the word 'such'—'such' transfer—be sufficient?

Mr. FISHER. I would be glad to insert that.

Mr. SCHAFFNER. It sems to me that the best feature of this Civil Service Commission was that it was to take this work out of the hands of politicans. But this seems to be a case of power given not to the commission but to the minister and his deputy.

Mr. FISHER. Not the minister.

Mr. SCHAFFNER. When you say the deputy minister, of course you mean the minister—no question about that; they are one and the same so far as this is concerned. Certainly we do not want any repetition in relation to the Civil Service of what occurred in Ottawa during the election. We thought that the instituting of this Civil Service Commission would remedy such things as the Prime Minister and the member for Ottawa going out and —I do not want to use too strong a word—influencing the civil servants of this city. The appointment of the commission was a step in the right direction, but I am afraid this is a step in the other direction. The matter should be taken out of the hands

of the minister and the deputy and the commission should be given full control.

Mr. FISHER. I think that the restrictions provided in this section are such as to take the matter entirely out of the hands of the minister and to leave even the deputy minister a very restricted choice. He must declare in a formal report that an officer who is employed in the outside service has performed duties which, if performed in the inside service, would entitle him to the position, and must also declare that the officer is efficient and properly qualified. It is only on that report that the minister acts. I do not think there is anybody in the service or among the public who mistrusts the deputy ministers.

Mr. BLAIN. How are they appointed?

Mr. FISHER. By order in council.

Mr. BLAIN. On whose recommendation?

Mr. FISHER. The ministers choose their own deputies—that is a well known fact, and it is the rule that has applied ever since the organization of the departments. At the same time, I might go out of office to-morrow and the deputy minister of my department remain. I think in a majority of the departments to-day the deputies were not chosen by the ministers now in office.

Mr. ARMSTRONG. Why not leave it to the commissioners instead of to the deputy ministers? Why should this power be given outside the commission?

Mr. FISHER. I think the answer is very obvious. In the case of a transfer, the deputy minister must have been supervising the work of the officer for at least three years. Therefore, he knows all about him, and the commission do not know.

Mr. ARMSTRONG. Why cannot he explain that to the commission?

Mr. FISHER. They would simply report on his advice. What would be the object of that? The deputy minister is a man who has been in touch with the officer, and it is in consequence of having been in touch with him that he believes him to be the proper man to be transferred to the place in the inside service. His report would have to be a drastic report to be acted upon. It is against the public interest that obstruction should be put in the way of bringing in a good and efficient officer in the outside service to discharge similar duties in the inside service.

Mr. DANIEL. Is it the intention that the report of the deputy minister should be in writing?

Mr. FISHER. Oh, yes.

Mr. DANIEL. Is it not so provided in this Bill?

Mr. SCHAFFNER.

Mr. FISHER I move that the words ' in writing ' be added after the word ' report.'

Amendment agreed to.

Mr. HUGHES. Has this Bill been submitted to the Civil Service Commissioners?

Mr. FISHER. Yes, they have considered the amendments satisfactory.

On section 5,

Mr. HUGHES. If a man appointed to the outside service has anything in him he ought to make good in two years, and why should not two years in the outside service entitle him to enter the inside service as well as three years.

Mr. FISHER. We wish to safeguard the inside service so that nobody would be appointed to the outside service simply with a view of getting into the inside service afterwards without passing a competitive examination. Since the Act of 1908 the government have refused to bring men in in that way. I think I am correct in saying that nobody has been transferred from the outside to the inside service who has been appointed to the outside service since the passage of the Act of 1908.

Mr. HUGHES. Then it has not been abused?

Mr. FISHER. We have been safeguarding it with the greatest care, because our own principle of Civil Service reform is embodied in the Act of 1908 and we wish to live up to it.

Mr. HUGHES. If there has been no abuse in the past, what is the danger?

Mr. FISHER. We wish to make it statutory so as to remove temptation from ourselves as well as from those who may come after us. I do not think that three years' probation in the outside service is any too long, and the man who knows he will have to serve three years in the outside service is not likely to enter with the ulterior object of getting into the inside service.

Mr. HUGHES. Is membership in the outside service that much inferior to the inside service?

Mr. FISHER. Not necessarily, but we have adopted the principle that the inside service should be entered only by way of competitive examination, and we wish to safeguard any exceptions to that. At the present time a member of the outside service could be brought into the inside service on a few day's notice.

Mr. HUGHES. And none have been so brought in.

Mr. FISHER. None have been brought in who have been appointed to the outside service since the Act of 1908.

Mr. HUGHES. In case this government should pass to its reward there may be a number of gentlemen in the outside service capable of filling positions in the inside service, and they would be debarred for a period of three years.

Mr. FISHER. Yes.

Mr. BLAIN. The weak point of it is that it gives power to the deputy minister which should be vested in the Civil Service Board, and that is not in the interest of the public service or of the country. A deputy minister may have a favourite in the department who may be appointed without examination, although others might be equally efficient or more efficient. If experience qualifies a man for promotion, experience ought to qualify him to pass his examination. Even a minister may not have a deaf ear to the request of his deputy for the promotion of favourites. When parliament is making an effort to take the service out of politics, it is in the public interest that the Civil Service Board and not the deputy ministers should have the power of promotion.

Mr. FISHER. The deputy ministers are not partisan.

Mr. BLAIN. They are appointed by the ministers.

Mr. FISHER. The deputy ministers have a very high standing in the service and in the opinion of the community. During the discussion of the Act of 1908 there was a universal tribute paid to the deputy ministers by both sides of this House. I myself spoke very highly of them. A great many of them have been appointed by our predecessors, and in one or two cases gentlemen who have risen from the lower ranks of the service and who were originally appointed by our predecessors were appointed deputy ministers by us, and, although these gentlemen may have their political predelictions, they were excellent officers and showed themselves non-partisan. There is no doubt that those who hold the honourable position of deputy minister are imbued with the idea of getting the best officers they can for their respective departments, and if they select a man from the outside service you may be sure it is because he has exceptional qualifications. Nobody, not even the commissioners, can so well know the qualifications of a man as can the deputy. It is for that reason we have left it in their hands. It was suggested by one hon. gentleman opposite that the commissioners should find out from the deputy ministers about the qualifications of any officers, but that would not avail, because the commissioners could only record what the deputies told them.

Mr. GOODEVE. This amendment will, in my opinion, cause a restriction which is not in the best interests of the service. We know that the great railroad corporatons are constantly finding young men in different branches who have developed certain qualifications which specially fit them to take promotion in other special branches of the railway service. It must be that in a service so extensive as the Dominion Civil Service, especially outside service, men will drift into particular branches of the service who develop qualifications which make it desirable that they should be promoted to other offices than those which they fill. If you insert the clause in this Bill as proposed, that they must be transferred to perform duties of like character to those which they have been performing, you limit the men in the service to a particular branch and you tie them down to machine method which is most objectionable, in that it takes from them all individuality and initiative.

Mr. FISHER. There is certainly a great deal of force in what the hon. gentleman says, but there are two ways in which the restriction can be overcome. A man specially gifted for one branch of the inside service, may enter it by competitive examination, even though he is in the outside service; and in the second place, clause 21 of the Act of 1908 says, that if a deputy head reports that the knowledge and ability necessary for a position are wholly or in part professional or otherwise peculiar, a person may be appointed to the service without competitive examination, and without refernce to the age limit.

Mr. HUGHES. Could he get in without the approval of the Civil Service Commission?

Mr. FISHER. He would have to get a certificate from them, but he could be appointed in that way. We are trying to reach the point where we wish to place some safeguards around the inside service and to make it exceptional that a man shall be transferred from the outside service to the inside service.

Mr. HUGHES. One consolation is that the minister sees the early defeat of his government inasmuch as he has not abused the Act himself, he is paving the way so as to prevent his successors from filling the offices in the inside service from the outside service.

Mr. FISHER. I have not a telescope strong enough to see the day that my hon. friend hopes for.

Mr. GOODEVE. If there was a man specially qualified in the outside service, he would be able to enter the inside service?

Mr. FISHER. Yes, just the same as an outsider altogether.

Mr. GOODEVE. I have before me a petition from the outside civil servants of British Columbia, which was sent to the government through the right hon. the First Minister. That petition contains this clause:

> We therefore beg that under the new order of things which we trust will soon be established, any person now in the service who may be recommended for promotion to a higher class or division shall be required to pass no examination other than an examination on the duties of the office for which he has been recommended.

That bears on the point I have brought to the attention of the minister, and I believe that the outside service make a very reasonable suggestion in that respect. There may be a thoroughly practical man for a position such as we are at present discussing, who would not care to enter a preliminary examination on certain mathematical and classical lines, such as he might be required to pass to get into the service. That occurs every day in law and medicine. Many good men are prohibited from taking up those studies simply because of the fact that in their earlier days they did not pass the necessary examinations. It seems that you are putting the same restriction and difficulty in their way here. The minister has said that really under the amendment if they are prepared to leave the service, go into a competitive examination and start over again, they may be able to qualify for such a position.

Mr. FISHER. I do not think it would be necessary to resign their positions in the service to enter competitive examination. Men in the service may enter the competitive examination for other positions.

Mr. GOODEVE. They may do that but they have to enter a competitive examination based probably upon a particular qualification. If they have to pass an examination on the duties of the office it might be all right, but if they have to pass the regular examination before entering into the service it will debar these men.

On section 6, temporary transfer from outside to inside service.

Mr. FISHER. This is due to the fact that occasionally we wish to bring some officer from the outside to Ottawa to supplement the staff in the office here. I have an instance in my own department where, in the veterinary branch, there was some work which was only temporary. There was an officer in the outside service whom we wished to bring here for the purpose of doing that work instead of hiring some one else. This enables that to be done for temporary work, but the individual does not get any status in the inside service.

On section 7, temporary clerks for decennial census.

Mr. FISHER. This is for the purpose of enabling us to appoint the census clerks to compile the returns of the census. That work has generally gone over four or five years, but we hope that in the next census it will be done within three years, and I have therefore limited it to three years. It is necessary that we should have about 150 people employed temporarily. Under the present law temporary employment would only be for six months, and there would be no means of doing the census work in that time. We make this special arrangement for census employees, we shall only employ them for three years, but we subject them to the rules and regulations of a competitive examination before they are taken on for that work. They are still temporary, and it gives them no status in the service after the work is finished.

Mr. HUGHES. Has the minister taken any steps to lay down the lines upon which the census has to be taken? What plan has he come to for taking the names of all those who are living in the New England states, and who have gone from the maritime provinces and Quebec?

Mr. FISHER. We have no such object in view.

Mr. ROCHE. Have there been any of these special competitive examinations held up to the present time?

Mr. FISHER. You refer to those which were spoken of by the hon. member for Kootenay?

Mr. ROCHE. Yes.

Mr. FISHER. Yes.

Mr. ROCHE. When was the last one held?

Mr. FISHER. I could not say. There are several referred to in the commissioner's report of last year, and I think there have been some recently, but there is now an advertisement for a general one which takes place in May, and there are one or two special examinations for special positions. I could not give the information, but I can find it out from the Civil Service Commission, and let my hon. friend have it.

Mr. ROCHE. How is it determined as to who shall compete in these examinations?

I can understand that if any person has written on a previous examination and failed, and the government are in need of an employee, they may send him word, and give him an opportunity of trying this special examination. But, how is it determined in the case of persons who have not written, who shall be sent for to undergo this special examination? I am informed that such examinations have been held in the past, that a person who has not been in the service has been sent for by the commission, has been subjected to examination, has passed the examination, and has secured a position.

Mr. FISHER. I do not know what case my hon. friend refers to, but I think there must have been something particular about it if it has occurred. The special examination such as I had in mind was an examination for a particular office which required special qualifications. These examinations are advertised all over Canada just the same as the general examination, and they are competitive just the same as the general examinations are. Anybody and everybody may see this advertisement, and write for the examinatioin. I do not know of any such case as that which my hon. friend describes, and I cannot quite understand under the law how such a case could have occurred. The examinations are always advertised and anybody who complies with all the conditions is eligible.

Mr. DANIEL. Are these competitors to be chosen in accordance with the excellence of the marks they get?

Mr. FISHER. Yes, in the order of merit.

Mr. CAMPBELL. Is this with regard to the officials that will be employed to take the census?

Mr. FISHER. No, those are employed outside of it. This section 7 refers to employees who are to compile the information collected by the enumerators all over the country. It will come here in the form of schedules, and these men will compile it.

Mr. CAMPBELL. Have the census enumerators to pass any examination?

Mr. FISHER. No.

Mr. CAMPBELL. Not even a political examination of any kind as to their party allegiance?

Mr. FISHER. No.

On section 8—schedule B amended—

Mr. FISHER. This is the change which the Minister of Customs desired to make. Schedule B of the old Act placed the salaries payable to Collectors of Customs at from $300 to $4,000. The Minister of Customs desired to make the scale from $300 to $4,500.

On section 9—salaries of Inland Revenue officials—

Mr. TEMPLEMAN. This simply increases the minimum salary of collectors of Inland Revenue and probationary excisemen from $500 to $600.

Mr. BLAIN. Does the maximum remain as it was?

Mr. TEMPLEMAN. No. Under almost every head the maximum is increased by from $300 to $400—inspectors, from $2,500 to $3,000; collectors, from $2,400 to $2,800; special class excisemen, that is, the chief officers in charge of distilleries, from $1,800 to $2,200. The increases will of course be given at the rate of about $50 a year until the maximum is reached. This just gives us power to pay our outside service a little higher salaries than they are getting.

Mr. BLAIN. What will it amount to in the first year?

Mr. TEMPLEMAN. Very little indeed; so little that after making the calculation we did not think it necessary to take any additional vote. All salaries under the proposed minimum will, I presume, be immediately increased to $600, and then they go up annually by a percentage increase until they reach the maximum of their respective classes, the percentage of increase in the lower classes being greater than that in the higher. The amount of money involved in these changes will be very little, as the increases only take place annually.

On section 11—salaries of assistant postmasters—

Mr. BLAIN. Is there any examination for these officers?

Mr. LEMIEUX. Yes; they are obliged to pass a qualifying examination.

On section 13,

Mr. FISHER. I would like to insert section 8 along with the other sections mentioned here. I see it deals also with salaries.

On section 14,

Mr. FISHER. The object of doing that is to take out 38, which was included in the old Act. We are substituting a new 38 at the end of this Act.

Mr. BLAIN. May I ask the hon. minister if these increases were all recommended by the Civil Service Commission?

Mr. FISHER. These increases are in the different departments of the outside service. I do not think the Civil Service Com-

mission dealt with that matter. That is a question of general policy.

Mr. BLAIN. Are we to understand that the Civil Service Commission were not consulted with respect to these increases?

Mr. FISHER. These increases were discussed on a resolution in the House at some length, and were passed by the House, and this Bill is based on that resolution.

Mr. BLAIN. What about the resolution itself before it came in the House for discussion? Was it submitted to the Civil Service Commission? Salaries and appointments are very closely connected, and it seems to me that this is a matter that might receive some consideration at the hands of the government. As there is an effort to get these appointments out of politics, I think increases of salary have a good deal to do with the matter, and when resolutions for salary increases are submitted to the House, the Civil Service Commission should be consulted. What objection would the minister see to that?

Mr. FISHER. I think that is a matter of general policy, for which the government has to be responsible. There has been a request, and I think my hon. friend has endorsed it on various occasions, from the outside service to be considered in the way of increases of salary, and my hon. friend the Minister of Customs, the Minister of Inland Revenue and the Postmaster General, after consideration, have decided that they can meet that request to the extent of these additions. The resolution was laid before the House, discussed by the House, and decided upon by the House, and now this Act is carrying it into force.

On section 15,

Mr. FISHER. In the Act of 1908 the word 'year' was used without any definition; sometimes it was determined to be a calendar year and sometimes a fiscal year. As all the salaries of the civil service take effect from the beginning of the fiscal year, it was thought advisable to define it clearly. In the second part, it provides that when a clerk had passed his examination for the second division, he could not be appointed to the third division. Now it happened that the second division was filled and a person having passed that examination wanted to be appointed to the third division. We thought it rather invidious to say that they could not do so, so we have thought it should be said that they may be appointed if they so desire.

Mr. BRADBURY. I notice that the increases are for the higher classes. I do not notice any attempt to increase the salaries of the postmen.

Mr. FISHER. Is my hon. friend going back to the question of increasing the salaries?

Mr. BRADBURY. I want to refer to the general principle of increasing salaries. I notice there has been no attempt to increase the salaries of the poorer officials.

Mr. FISHER. That is not correct.

Mr. BRADBURY. Well, I do not notice anything here about it.

Mr. FISHER. If my hon. friend will take the schedules which are amended by these schedules, he will find that the increased salaries are through the whole list from top to bottom.

Mr. BRADBURY. Do they include the postal carriers, the men who deliver letters in the street?

Mr. LEMIEUX. My hon. friend is aware that last year I increased the salaries of the letter-carriers from a maximum of $2 to $2.75. I have met the letter-carriers association since, and they said they were most pleased and thanked me profusely for the substantial increase I gave them. I met two or three of them in the streets after the Bill was passed, and they said, we can marry now; we have a salary sufficient to enable us to marry.

Mr. BRADBURY. What increases did you promise for next year?

Mr. LEMIEUX. Without making any promise, and speaking for myself, for the question has yet to come before the government, but I think I have the full support of the Minister of Agriculture, I propose next year to bring under the Civil Service Act, into the inside service, the clerks in the larger city offices and the railway mail clerks. That will mean a readjustment of their salaries. They will have a chance of getting better salaries.

Mr. BRADBURY. These are the classes I am referring to.

Mr. LEMIEUX. Last year, I not only increased the salaries of the letter-carriers, but also the salaries of the lower classes, stampers, sorters and labourers. Now, for the middle classes, I shall have to study the merits of each class and adjust their salaries accordingly.

Mr. BRADBURY. I do not suppose there is any class of servants that is more entitled to good pay than the mail clerks. These men are running great risks all the time, and they deserve good salaries, and ought to be treated well by the government. I am very glad to see that the min-

ister contemplates making that provision for them.

On section 20: salaries of temporary clerks.

Mr. BLAIN. Will this be an increase to the temporary employees?

Mr. FISHER. It might be. Under the old Act, every temporary clerk had to go in the third division. But sometimes we wanted a man of superior quality who had to be paid according to the salary of the second division.

On section 21—no additional payment to permanent officers for any service—proviso as to annual salaries from several departments to officers in outside service.

Mr. J. HAGGART. That is the law already, is it not?

Mr. FISHER. It is intended to be the law, but the Justice Department has advised us that section 38 is not iron-clad, and this is intended to make it so. It was drawn by the Department of Justice with that intention.

Bill reported.

At one o'clock, House took recess.

House resumed at three o'clock.

POST OFFICE ACT AMENDMENT.

Bill (No. 197) to amend the Post Office Act.—Mr. Lemieux—read the second time, and the House went into committee thereon.

On section 1,

Hon. RODOLPHE LEMIEUX (Postmaster General). By the Bill to amend the Civil Service Act passed this morning the superintendents of the railway mail service are taken out of the Post Office Act, and are brought under the Civil Service Act. The present Bill is necessary in order to bring about that change.

Mr. HENDERSON. Before the Bill is reported there is a very simple amendment which I want to propose. Some years ago the Postmaster General reduced the postage on drop letters in cities where there is a city delivery from two cents to one cent. Prior to that change the drop letters had been two cents in the cities and one cent in the rural districts. I contended then that if the Postmaster General was giving a reduction in cities, and as the revenues of the country were buoyant there was no reason why the rural sections should not receive a corresponding reduction. I do not think it is necessary for me to go further than to read the promise of the Postmaster General given in this House in 1908 when I moved the amendment along the line I have indicated. The Postmaster General then said:

I would ask my hon. friend (Mr. Henderson) to be good enough to withdraw his amendment and to leave the rural section of the country to my tender mercy. Let us first try the one cent drop letter, and if as a result the revenue increases, as I feel quite certain it will, then I shall give my hon. friend's amendment very serious consideration. Will the hon. gentleman trust me for one year or perhaps two?

I at once acceded to his request, and I said:

I would gladly take the suggestion of the Postmaster General if I were sure he would be Postmaster General next year.

Well, he has continued to be Postmaster General, and I feel I can come before him now with a good deal of confidence. Then, after I read my amendment the Postmaster General said:

Will my hon. friend leave this as a notice of motion until next year? I fear it is I who am the Conservative to-night and that my hon. friend is the Radical, for we must not all at once revolutionize the whole postal system. Let us wait for a year or two to see what the result of the present reduction will be and if the increase of the past few years continues it is my intention to give further postal reductions. Of course, as to that I would have to consult my colleagues.

In answer to that I said:

After having heard the very strong assurance which the Postmaster General has given us, I think that my purpose will possibly be more likely to be accomplished by not pressing my amendment than by pressing it. I have no desire to embarrass the Postmaster General in this matter. I might perhaps gain a little political capital by pressing it; but my desire is to get the reduction in postage, which is of more importance than any petty party advantage I might gain. Therefore after the Postmaster General's statement, I am quite willing to allow the matter to stand over.

Then comes an important statement made by the Postmaster General:

I can assure my hon. friend that my promise to take the matter into very serious consideration is not a vain promise, and my hon. friend may remind me of it at any time. I am only too pleased in postal matters to give the best possible facilities to the people; and if any further reduction can be given, which is reasonable and acceptable to the government and the House, I shall certainly bow before public opinion.

In accordance with the suggestion of the Postmaster General given two years ago I now remind him of his promise; a promise which I scarcely see how he can get over at this time, I having waited almost two years for its fulfilment. It needs no argument to show that the country districts are entitled to a similar reduction in

postage to that given in the cities. There is no letter-carrier delivery in the rural section, and consequently the government is not put to that expense as in cities, and that was my strong plea why the rural sections should get the benefit of the reduction as did the cities. A great many of the merchants in the smaller towns send out circulars to their customers and these circulars being dropped into the post office they are delivered from the same office without expense to the government. The reduction would be a great benefit to the business community as it would also be to doctors, and other professional men who send their accounts through the post office. I, therefore, move:

That section 48 of the Post Office Act as amended by section 1 of chapter 53 of the statutes of 1908, be amended by adding thereto the words:

'except that in cases where there is no delivery by letter-carriers the rate shall be half a cent per ounce, which shall also be prepaid by postage stamps.'

I do not desire to force this amendment on the government; of course I know I cannot do that; I simply appeal to the Postmaster General to do something that I think is fair, and reasonable to the rural sections, and now that he has had the matter under his serious consideration for two years I hope that he will be able to meet the request which at that time he endorsed. I have no doubt that in his usual spirit of fair play to the rural sections as well as to the cities he will accept my amendment in the interests of the country.

Mr. LEMIEUX. Before answering my hon. friend I wish to submit that the amendment is irrelevant to the question before the House. If the hon. gentleman refers to Bourinot's Parliamentary Procedure, page 403 and subsequent pages he will find that:

An amendment which is not relevant to the question at issue shall not be taken into consideration.

Sir Erskine May lays it down as 'an imperative rule that every amendment must be relevant to the question on which the amendment is proposed—except in the case of amendments moved to the question for the Speaker's leaving the chair for the Committee of Supply or Ways and Means.' A motion having been made to declare Michael Davitt incapable of being elected or returned as a member, it was proposed to amend the same by substituting an address to the Crown for a free pardon; but the Speaker promptly interposed and pointed out that such an amendment was inadmissible as it had no relation to the question before the House, but should form the subject of a distinct motion, after notice given in the usual manner.

Mr. HENDERSON.

I do not wish to evade the question at all, but I think it is not in order and if my hon. friend can find his way clear to bring it up regularly, I would be only too pleased to answer him, but at the present time I say it is not relevant, and I ask for the decision of the chairman on the point.

Mr. R. L. BORDEN. There is a note at the bottom of page 444 which says that it is quite relevant.

Mr. HENDERSON. The Bill before the House is a Bill to amend the Post Office Act.

Mr. LEMIEUX. To repeal a section.

Mr. HENDERSON. Practically to amend the Post Office Act.

Mr. LEMIEUX. Of course.

Mr. HENDERSON. I am simply proposing a second amendment to the Post Office Act. I think, Mr. Chairman, that if you rule my amendment out of order you will be obliged to rule the minister's amendment out of order also, because they are exactly of the same character. I am not moving an amendment to his Bill, I am moving an amendment to the Post Office Act, which is the subject before the House at the present time. I had no doubt in my own mind that the amendment I have proposed was quite in order. I never thought anything else and I hope you will so regard it, Mr. Chairman.

Mr. DEPUTY SPEAKER. There is nothing in the Bill No 197 that indicates to me exactly what section 1 refers to but the title of the Bill is 'An Act to amend the Post Office Act.' I do not think I would be justified in excluding the amendment offered by the hon. member for Halton (Mr. Henderson.)

Mr. LEMIEUX. Well, Mr. Chairman, under these circumstances, I must say to the hon. gentleman (Mr. Henderson) that I would not feel justified in accepting his amendment, not that I have no sympathy with the rural section of the community, but I think that since the postal rate has been reduced on drop letters, the department has been giving the rural sections of the country an evidence of its good will and of its desire to improve the postal service. The other day I answered a question in the House as to the cost of rural mail delivery which is solely for the benefit of the rural section of the country. The cost of rural delivery is certainly large and will become larger and larger every year. This is benefiting the rural section of the country whose interests my hon. friend has specially at heart. As regards the rate, I do not think that the postal rate in Canada as compared to other countries is high. On the contrary I have here a memo showing

that the rate in Canada is lower than in many other leading postal countries. Take, for instance, England; the lowest rate on a letter is one penny or two cents; in Germany one and three-quarters cents; in France, ten centimes, or two cents; in the United States, the same as in Canada—that is two cents for an ordinary letter passing from one post office to another and one cent for drop letters. The rates on correspondence in Canada are, taken as a whole, lower than those of any other country. In all respects postage rates in Canada are as low as in any other country, and newspaper rates are lower than in any other country. Newspapers go from one part of the Dominion to the remotest post office, that is to say from Halifax to Dawson, for one-quarter of a cent per pound, if sent from publisher to subscriber. There is besides a special concession to rural districts since weekly newspapers, which are published chiefly in villages and towns, are delivered, within a circular area eighty miles in diameter, free of postage altogether. During the last two years the department has been pursuing steadily the idea of lowering postage rates and extending the mail services. All that entails some considerable—I would not say loss—but charge upon our revenue and the benefit accrues mostly to the rural sections of the country. When the present government came into power it found the postage rates on letters within the Dominion three cents per ounce, and the rate within the British empire five cents per half ounce. To-day, inland rates are two cents per ounce, which is a reduction of more than 33⅓ per cent on postage paid by Canadian citizens for letters circulating within the Dominion. The rate within the British empire, owing to the initiative of Sir Wm. Mulock, has also been reduced, and you can now send a letter from Canada to New Zealand for a penny. This has been quite a boon for all concerned. Coupled with these reductions in rates has been a steady expansion in the service. Between 1896 and 1909, the number of post offices has increased from 9,103 to 12,479, an increase of more than 37 per cent. The number of post offices through which money can be transmitted by postal order has increased from 1,310 to 10,317, or nearly eight times as many as in 1896. The vast extent of the increase in the mail service is shown by the mileage of annual travel. There is an increase under that head of nearly fifty per cent. This increase in accommodation has, in spite of economy and the business methods of the department, augmented the expenditure from $4,706,887.84, in 1896, to $9,000,000, in round figures, in 1909. This is an increase of nearly $4,500,000, the expenditure being not far from double what it was in 1896. Fortunately, the department has been able to reap the usual compensations of extended facilities and good management, and has thus been able to convert a deficit into a surplus, and with that surplus we intend to still further extend the postal facilities in the country. I want to show by provinces what is being spent every year out of the revenue drawn from each province by the Post Office Department. I wish to show the great expansion in the service in every province. In Ontario we spent 80 per cent of the revenue drawn from that province. While, in 1896, the total number of post offices west of Lake Superior, except British Columbia, was less than 800, since 1896 we have opened nearly 3,000 post offices. All that involves a large expenditure for salaries of postmasters, establishment of postal routes and rural mail delivery. We must be careful not to decrease the revenue of the department to the extent of my hon. friend wishes. After all one cent a letter is a very low rate, and the postal rate in Canada is the lowest in the world.

Mr. J. A. CURRIE. The former rate on drop letters was two cents in cities, and one cent in the country where letters were not delivered by letter carriers. The minister in his wisdom, and I think it was wise, reduced the rate in cities to one cent. But if there was any merit in the argument advanced before that it cost twice as much to handle a letter in the cities as in the country, I cannot see how the proposal of the hon. member (Mr. Henderson) can be rejected. For many years the Post Office Department charged two cents for drop letters in the city just as for a letter sent to any place. The country post offices had a rate of one cent for a drop letter. The suggestion is that since the rate in cities has been brought down to one cent the country post offices should get a half cent rate. No great expense is involved, and I do not think the country would suffer.

Mr. DANIEL. But my recollection is that the old drop letter rate in cities was one cent which was raised to two cents, and every one living in cities at that time thought this was rather a backward than a forward step and objected to it very strenuously. Then the rate was reduced to the old rate. I presume the post office has not lost any money by the reduction in the city rate.

Mr. LEMIEUX. I am quite sure we have not lost through the reduction in the drop letter rate in cities, on the contrary, we have done a very good business. This is because there is such a dense population and such industrial activity in cities. If we could reduce the rate in the rural districts there would be a loss of revenue.

We are doing a great deal now to improve the postal service in the rural sections, and really, I do not think my hon. friend should insist. The one cent rate is no discrimination, it is the same rate although, of course, in the rural sections they have not delivery by letter-carriers. Then, we are slowly but surely establishing the rural mail delivery and each rural mail box costs money. I take the hon. member for Halton as a witness to the advantage of rural mail delivery. I passed through his constituency last year and I had there evidence of the very satisfactory service given that county under the rural mail delivery system. Passing through Milton and through Halton generally I found boxes all along the road and the farmers getting their letters not at their doors but not very far from their doors. I thought it was a great improvement on the old system.

Mr. HENDERSON. I cannot agree that there is no discrimination. I wish to repeat and emphasize a statement of his own. Whilst in the cities these drop letters are delivered at the people's doors for one cent each, in the rural sections the government saves all the expense of delivering by letter-carriers, and yet gets as much postage as in the city.

Mr. LEMIEUX. There are more people in the cities.

Mr. HENDERSON. We cannot help that. I would not like the minister to be carried away with the idea that the rural mail delivery pervades the whole of my county. I know that he took a trip from Milton to an outlying post office called Mount Nemo, a distance of 12 or 15 miles. That is one mail route. There is another on a circuit of about 19 miles, but I am not sure that the whole distance is supplied with boxes. That is all the rural mail delivery we have in the county.

Mr. LEMIEUX. I was told that it was near that place that my hon. friend was born; so I thought it was the whole county.

Mr. HENDERSON. It was not on Mount Nemo, but on another mount not very far from that. At present I live in the northern part of the county, and the people of that neighbourhood have no advantage of the rural mail delivery. I do not think that the argument that has been presented regarding the extension of the rural mail delivery has very much weight so far as my county is concerned, because beyond 25 or 30 miles at the outside the people have not the advantage, though it cost them something as well as the government. I am sorry the minister cannot see his way to granting this small concession, which I thought he would be able to do, from the admissions he made two years ago, when he asked me to remind him of the promise he then gave. I must say I feel disappointed, and I hope he is not going to turn this down for all time. I do not propose to divide the House on this question, because if the minister is going to oppose it I know that I cannot get it. I think the country is entitled to what I ask, it is a reasonable proposition, and I hope the minister will see his way clear to grant it.

Mr. SCHAFFNER. Is the minister in a position to say how the revenue is affected in towns of upwards of 1,000 inhabitants by the reduction from two cents to one cent? I understand that there is a good surplus in the revenues from these post offices. I understand also that there is a large surplus in the Post Office Department. I believe there should not be any. I believe that all the money gained in revenue in the Post Office Department should be expended in giving the people a good mail service. If the reduction from two cents to one cent in the cities has given good results, may we not conclude that a reduction from one cent to half a cent in towns would have the same result?

Mr. LEMIEUX. The revenue in the towns is quite satisfactory, but we need all that revenue for the opening of new post offices, especially in the western sections of this country. In 1896 between Lake Superior and the Rocky mountains we had 786 post offices, whereas in 1910 there are in Manitoba, 699; in Alberta, 695; in Saskatchewan, 982, and in the Yukon, 20, an increase in those three western provinces of 1,610. We have to provide in each case for the salary of the postmaster and an allowance for fuel and light, and we have increased the salary first from $10 to $25 and afterwards to $35. We have to establish mail routes between these new offices, advertise for tenders, and so forth, All this costs an enormous amount of money, and we require all our revenue for these purposes.

Mr. SCHAFFNER. It is only natural that the number of post offices should increase very much, but has not the revenue increased in a greater proportion?

Mr. LEMIEUX. The revenue has increased, certainly, but we require it all to keep pace wtih the expansion of the country. Eight or ten years ago we had post offices from six to seven miles apart. To-day we do not refuse to open a post office at two miles distance from another provided there is a fair number of patrons. All this creates additional expenditure, and we must be prepared to meet that increased demand made upon us. Now, let me give the figures. In

Ontario in 1896, there were 3,185 offices. There has been an increase of 563 since last year. Of course Ontario is a well settled province, where new offices are not so much needed. In Quebec there were in 1896, 1,640 offices. There are now 2,341 offices. In Nova Scotia there were 1,649 offices in 1896; to-day there are 1,953. In New Brunswick in 1896 there were 1,181; to-day there are 1,409. In Prince Edward Island there were 380 in 1896; to-day there are 467. In British Columbia there were 274 in 1896; to-day there are 571. In Manitoba there were 786 in 1896; to-day there are 699, but that included the two Northwest Territories. In Alberta in 1909 there were 600 offices, and in one year we increased the number by 95, there being to-day 695. In Saskatchewan in 1909 there were 861; to-day there are 982. So that since 1896, the number of post offices have increased from 9,103 to 12,885. Now, as regards the gross annual revenue and expenditure in the different provinces of the Dominion, for 1908-9, the last year for which figures are available. They were as follows approximately:

Ontario—revenue, $4,441,463; expenditure, $3,564,000; percentage of expenditure to revenue, 83 per cent.

Quebec—revenue, $1,905,942; expenditure $1,754,242; percentage of expenditure to revenue, 92 per cent.

Manitoba—revenue, $951,905; expenditure, $3,564,003; percentage of expenditure to revenue, 88 per cent.

British Columbia—revenue, $655,787; expenditure, $636,339; 97 per cent of this revenue was spent in that province.

Now as to Nova Scotia, I need not give the whole figures. I will give the percentage. There we spent 124 per cent of its revenue. Of course it is a small province.

Mr. JOHN HAGGART. What is the reason of so many post offices in Nova Scotia?

Mr. LEMIEUX. In Nova Scotia the settlements are sparsely situated. There is practically only one or two railways operating in Nova Scotia, and we have to provide the inhabitants of the different portions of the province with proper postal facilities. In Alberta, 93 per cent of the revenue was spent; in New Brunswick 129 per cent, and in Prince Edward Island 153 per cent. Of course, it is not always the best argument to use the law of averages, but at all events I have given the figures here. In a small province like Prince Edward Island, the people have only one railway, and the fishermen are living on the bays and on the shore where the railway has no access, and we must provide for those people. When they came into confederation they came under certain terms and we must provide for them.

Mr. J. A. CURRIE. Will the minister read the averages, beginning with British Columbia again?

Mr. LEMIEUX. I will begin with Ontario: Ontario, 80 per cent expenditure to revenue; Quebec, 92 per cent; Manitoba, 88 per cent; British Columbia, 97 per cent; Nova Scotia, 124 per cent; Saskatchewan, 94 per cent; Alberta, 93 per cent; New Brunswick, 129 per cent; Prince Edward Island, 153 per cent. The figures given represent very nearly the revenue transactions, but the expenditure cannot be calculated quite so closely. Such items as the conveyance of mails by railways, for instance, which form a very considerable proportion of the total expenditure, can only be figured out on the basis of the track mileage in each province, without respect to the weight of mail that has to be carried over the different sections of railways. There is also the mileage of railway mail clerks, whose runs are partly within one province and partly within another. But this does not prevent me from giving approximately and fairly, I think, the total expenditure and total revenue and the percentage of expenditure to revenue.

Mr. DANIEL. Has the minister the number of post offices that were opened in New Brunswick in the latter part of 1908-9?

Mr. LEMIEUX. In New Brunswick in 1909 there were 1,397 post offices; in 1910, 1,409, an increase of twelve in the year. In Prince Edward Island there is an increase of two offices over last year. I will give the increases since last year in the number of post offices. In Ontario, the increase over last year was 54; Quebec, 72; Nova Scotia, 15; New Brunswick, 12; Prince Edward Island, 2; British Columbia, 24; Manitoba, 12; Alberta, 95; Saskatchewan, 121. In the old provinces, of course, in Ontario and Quebec, the increase is less, but in the new provinces, we have to provide for the arrival of immigrants.

Mr. SCHAFFNER. To what extent has rural mail delivery been extended in Manitoba?

Mr. LEMIEUX. I will give by provinces the exact number of rural mail routes authorized. In Prince Edward Island, 36 were authorized; in Nova Scotia, 6; in New Brunswick, 16; Quebec, 8; Montreal District, 2; Ottawa, 8; Kingston, 25; Toronto, 42; London, 123; Winnipeg, 29; Moosejaw, 8; Saskatoon, 3; Edmonton, 13; Calgary, 6; Vancouver, 7; Victoria, 7. The total being 339.

Mr. BURRELL. What were the totals for British Columbia?

Mr. LEMIEUX. Vancouver 7; Victoria 7—total 14. The increase in the cost of

mail service arising out of the establishment of rural delivery in British Columbia is Vancouver, $4,111; Victoria, $1,497. In Winnipeg, the total increase in cost arising out of the establishment of rural mail is $6,332.52. We are only beginning, but we are beginning on a safe basis, not on the extravagant basis adopted in the United States. As I said the other day, in the United States, though they have a huge revenue, this year, they have a deficit of over $17,000,000, and, according to the assistant Postmaster General of the United States, that deficit is made up of the lavish expenditure on rural mail delivery. We must take our time, and be rather conservative as regards that, for otherwise the Post Office Department might become involved in a very large deficit.

Mr. J. A. CURRIE. The argument of the Postmaster General (Mr. Lemieux) against the proposition of the hon. member for Halton (Mr. Henderson) is the great expenditure that the post office has to face in the number of new post offices it is necessary to open in the Northwest. Now, the figures that the hon. Postmaster General has just given to the House are illuminating on this point. They show distinctly that, whilst there has been an enormous expansion in the west, yet in every case the revenue has more than kept up with the expenditure. We find that, in the great province of Ontario the expenditure is only 80 per cent of the revenue. The surplus, there, of course, owing to the enormous amount of the revenue, would represent a very large sum of money. But when we consider the western provinces, what do we find? In Manitoba, the expenditure is only 88 per cent of the revenue —a good surplus there. Then we come to Saskatchewan, a province which is growing more rapidly, possibly, than any other portion of Canada. We find that even there the expenditure is only 94 per cent of the revenue. In Alberta, the showing is even more favourable—an expenditure of only 93 per cent. So, the Postmaster General's argument does not really hold at all. There is no reason why the request of the hon. member for Halton should not be conceded. Especially so when we remember that every concession in the way of cheaper postal service means a greater revenue and greater profit. That has been an acknowledged maxim in the postal service ever since the success of penny posts in the old country. There is one especially strong reason why low local rates should be granted in this matter. The question brings up the big issue between the local retail merchant and the mail order house in the city. Everybody who knows anything about the post offices throughout the country knows that these post offices are flooded daily with circulars, parcels, letters and 'come-on' documents from the mail order houses in the great centres inviting the people to send in orders by mail, and have them filled at the expense of the retail dealers in the country. The retail dealers would like to take advantage of the postal service, and do likewise. But, in the first place, he has not the enormous resources of the big city concerns, and also his expenditure for printing and otherwise is relatively larger, for, his printing would have to be done locally, and in comparatively small quantities. Even with the lower local postal rate, I venture to say, it would cost one of the great houses in Toronto no more to circularize the people in Milton, for instance, than it would cost a local dealer to reach the people of the town in the same way. It would be a decided advantage, however, if this cheap rate were introduced so that the local dealer could send circulars to his customers calling attention to the things he has to sell on something like the same terms as those enjoyed by the great retail houses in the cities. For that reason, I am strongly in favour of this proposition, and hope the Postmaster General will not oppose it, because it would greatly benefit local business, and tend to build up industries in the towns against the enormous, crushing weight of the mail order houses in the large centres.

Mr. SINCLAIR. The hon. member for South Lanark (Mr. Haggart) inquired why there were so many post offices in the province of Nova Scotia. I would like to state to that hon. member and to the House what, in my opinion, is the explanation. The reason, I believe, is largely geographical. If you will look at the map, you will see that the whole coast of Nova Scotia is indented with harbours and bays. One of these, perhaps, runs twelve or fourteen miles into the country. It is settled on both sides, and there is no bridge or ferry. Consequently, you must have post offices on both sides. Again, Nova Scotia has many rivers which are settled along both banks, and the mail must run down both banks, because we are not accommodated with bridges for crossing at every point. The geographical situation in Nova Scotia, therefore, calls for a larger number of post offices than are needed in a province like Manitoba, or even Ontario, which are more regularly divided, and where the people may be more conveniently served by the post offices. As to the revenue, I may mention that, in a province situated as Nova Scotia is, at the very extreme of the Dominion, it is hardly fair to credit it with only the revenue that it pays into the post office. Take, for example, one of the business houses referred to by the hon. member for North Simcoe (Mr. J. A. Currie)—a large mail

order house. The customer in Nova Scotia sends an order, let us suppose, to Eaton or some other concern in Toronto or Montreal. The goods are sent by mail, and the postage is paid by the large firm in the first place, but ultimately by the customer in Nova Scotia. I venture to say that there is a very large amount of money credited to Ontario and Quebec in this way that, in reality, ought to be credited to Nova Scotia. I was glad to hear the minister say that he intended to reduce the distances between post offices. My own opinion is that this is the proper solution of mail accommodation in my province. Owing to the facts that have been stated, and the distance from the railway in many places, it is impracticable to have rural mail delivery in some sections and more post offices is the only remedy. It used to be said by the department that post offices would not be placed within four miles of one another, and I was pleased to hear the minister say that he was reducing the distance to two miles. That will lead to a great improvement in Nova Scotia. It is better to increase the number of post offices than to spend money in attempting to give the people rural mail delivery, which is not suitable to that country.

Mr. STAPLES. The minister has spoken of the great improvements he is making in the mail routes of the west and has mentioned the routes running out from Winnipeg. I have been asking the minister for the last seven years to establish a post-office in a district where at certain seasons of the year the people have had to go eight miles for their mail, and at any time have had to go about 3 miles. The minister said the other day that he had met the convenience of those particular people, but I received a letter this morning which would indicate that their convenience has not been met. According to this letter certain changes have been made, and the post office at St. Charles river has been returned to St. Charles village and a new office has been opened in Sturgeon creek, but both offices are three miles from the place I spoke of, and the river intervenes. My correspondent says that mail matter, including letters, is left at his store every day for distribution to people living near, while others coming in have to go three miles for their mail. As a matter of fact, the proper place for this post office would have been in this very store. I have tried to explain the situation in that locality to the minister and have produced a map showing how thickly settled it is. The population are almost all engaged in market gardening, and if there is any place near Winnipeg deserving of rural mail delivery it is this district. The trouble has been that there is a little political quarrel between the old candidate and some of the settlers in that locality and the minister does not seem willing to accede to the wishes of the people, but seems to prefer to keep up the agitation. While the store-keeper may not be a particular friend of the government, I do not know that he is a strong opponent, in fact I understand he has been very independent, and the people have petitioned to have the post office established in his store. I understand that the people have to pay $3 a box for rural mail delivery.

Mr. LEMIEUX. I brought with me the other day the whole file on this case. The case concerns my hon. friend only and not the House.

Mr. STAPLES. I have taken it up several times.

Mr. LEMIEUX. I told my hon. friend I had given instructions to Mr. McLeod, the inspector at Winnipeg, to solve the whole question. There has been a quarrel between the two sides of the river; I received a report and have acted according to that report. The inspector has equalized the distances between the post offices and established a new one, so as to give satisfaction to the people. I am sure that Mr. McLeod has taken all the facts into consideration. However, I shall take the case up with my hon. friend in a few minutes.

Mr. HERRON. The minister's statement would lead the House to believe that we had splendid mail accommodations in our country, the post offices close together and convenient for the settlers. The figures as here presented would give that impression. I admit that the post offices have increased threefold since 1896, but the revenue has increased in a far greater proportion, and the population to-day is probably six times what it was in 1896. The hon. member (Mr. Staples) complains of having post offices eight miles apart. In my country it is quite usual to have post offices fifteen miles apart, people travelling seven or eight miles for their mail. We have also post offices getting one mail a week, where they have had the mail route in the same place for ten years or more. and a large number of people are being served in that way. I think the Postmaster General might well consider the establishment of tri-weekly services in these localities. The minister should improve these services before he accumulates a surplus in his department. There is still a surplus of 7 per cent of revenue over expenditure in our province. We are generally met with the reply that the rev-

enue will not permit a more rapid extension of the service than is being made. I would like the minister to accede to the request of the hon. member for Halton (Mr. Henderson) and give a half-cent drop rate in towns in rural localities. The position of the small merchants in towns has been well explained. With their wide opportunities for advertising the big departmental stores in the large cities are extending their business to the disadvantages of country merchants. I hope that the Postmaster General will not try to show how large a surplus he can secure until he gives better accommodation to the rural districts, particularly in the province that I represent.

Mr. WM. CHISHOLM. Mr. Chairman, I think that the Postmaster General may well congratulate himself upon the showing that he makes, and it is recognized that for the administration of the Post Office Department since 1896 to the present Post master General and his predecessors is entitled a great deal of credit. Yet, the Postmaster General's Department is far from being an institution that we cannot criticise. The statistics that have been given, whilst, on their face, they are apt to justify another conclusion, are somewhat misleading. It would appear that the postal service in the rural districts, say in the province of Nova Scotia, are better than they are in the western provinces. I venture to say that, as far as rural conditions are concerned in the province of Nova Scotia, they do not receive as good accommodation relatively considered as they do in the west. As far as the charge of extravagance or generosity on the part of the Postmaster General or his department is concerned, that is a charge which certainly cannot be made. I have had a little experience with the Post Office Department, which has not been of the most pleasant kind in endeavouring to obtain better accommodation for the people whom I represent, particularly the rural population. Let me illustrate. When I went to get a tri-weekly mail established I was obliged to surrender two offices in order to meet the increased cost of the tri-weekly service. The salaries of the two postmasters were somewhat greater than the cost of the increased accommodation. The department had to get the better of the bargain. I asked for the increased accommodation and they refused because the revenue would not justify the expenditure. They put it upon a straight business basis just as I would find if I were dealing with one of the Jews in Montreal. The proposition was put up to me in this form. I suggested the surrender of these two offices.

Mr LEMIEUX. Who suggested that?

Mr. HERRON.

Mr. WM. CHISHOLM. Not the Postmaster General.

Mr. LEMIEUX. Was it not suggested by yourself?

Mr. CHISHOLM. Yes, I suggested it for the reason that I found that this was the only way in which I could get a tri-weekly service. I wanted to benefit the greater number. These two offices had been established years ago. They were then perhaps necessary. Whilst they would afford a convenience there was not then the necessity for continuing them and they could be dispensed with without any great degree of inconvenience. Finding that I could not get this increased tri-weekly service, I suggested that these two offices be dispensed with, and I must thank the department for having carried out my wishes in this regard. I merely mention this to point out that the department cannot be accused of extravagance, nor yet can it be accused of extreme generosity. I might mention another instance of a similar character that comes to my mind in this connection. I got this tri-weekly service established and on the route there was a section between two offices about three and a half miles from either office and I suggested that an office should be established in that section. Inquiry was made and it was found that the revenue would not equal the expenditure, and my request was politely declined. Business principles were applied and the department felt that they were not justified in establishing the post office. What happened? I asked, later on, that a bag be put up, and I informed the department that one of the people living in the vicinity would take the mail and distribute it amongst his neighbours. Thanks to their generosity they granted that request, a bag was put up and the mail has been delivered in that section by a citizen who is performing the duties of a postmaster without having any salary. There is not much generosity there. I am not finding any fault with the department about that. I have not urged that he be given a salary, but I am pointing out the experience I have had as far as the generosity of the Post Office Department is concerned and I could multiply the instances. I may say that the people of the rural communities are not dealt with as generously as they should be. If you ask for a post office in a rural community one of the first questions that is put to you is: How many dollars can we get out of it, and how much will we have to pay? If the expenditure exceeds the revenue the request is politely declined. I submit that you must do what is necessary to make rural communities more comfortable and to make life in farming districts more bearable if you wish

to retain your rural population. The boys and the girls go away because they have not the conveniences at home. It is not too much to expect that we should have a tri-weekly service where there has been a weekly service. We receive this answer, when we ask for increased accommodation: Oh, your fathers got along with the present service, or this service has been in existence for the last 10, 15, 20 or 25 years and you cannot show any great change in the community since then. This is very true, but 10, 15, 20 or 25 years ago you would not find a piano, or organ in some of the houses, or a top buggy, or silver mounted harness, or the houses furnished as they are to-day. The conditions have changed and the people have changed with them. You might say that there is no need of these comforts or conveniences. But the people are the best judges of that, and if they have these comforts and conveniences which are not absolute necessities surely it is not too much to expect that they should have the convenience of getting their mail two or three times a week, if they are now getting it only once a week. Newspapers are so much cheaper to-day than they were years ago that nearly everybody gets a daily paper. Large dailies, such as the Montreal 'Star' and other papers, are so cheap that they go into nearly all houses. Farmers for that is one reason want a tri-weekly or a daily service where they were quite content years ago with a weekly service. In making these remarks I do not wish to be understood as criticising the Post Office Department. The Post Office Department is entitled to the credit of the people of this country. It is a department that is recognized by every one as being run on thorough business lines, but I am afraid that in some cases they are running it on too straight and strict business lines and that the officers of the department should be a little more generous when it comes to considering the farming community. In the province of Nova Scotia we have no large cities or towns, and therefore, the showing is not as great as far as the revenue is concerned as in the provinces where they have the big centres, such as Toronto, Montreal and Winnipeg. The Montreal revenue swells the revenue for Quebec, and the revenue for Toronto makes the revenue for Ontario appear very large, but if you eliminate these large towns and cities and take only the country districts you will find that Nova Scotia, New Brunswick and Prince Edward Island will make just as good a showing, so far as the rural districts go and the revenues received there concerned, as that of those other provinces.

Mr. DEPUTY SPEAKER. I hope the debate, which has been wandering away from the point, will be relevant to this motion of the hon. member for Halton (Mr. Henderson).

Mr. BURRELL. I do not know that what I have to say will be particularly relevant, but it will not be particularly long. Some very interesting questions have been raised by hon. members of the House in speaking of the matter which is now before the Chair. I thoroughly agree with the hon. member for Antigonish (Mr. Chisholm). I do not think that the department can be accused of any great extravagance or generosity in its treatment of some of the postal arrangements throughout the scattered portions of the country. I am thoroughly in sympathy with the view of the hon. gentleman who has just sat down that the rural communities ought to be treated with the utmost generosity. It is the cry in Canada that we want rural population, and if we want to develop that class of our population we must certainly give the fullest consideration in the matter of mail facilities to those scattered communities which are laying the foundations of their future homes, and who are cut off entirely from their old connections and associations. I believe there are many places in the country where the department will be justified in establishing post offices, even at a loss, for the sake of giving these people the facilities that they are now doing without. The geographical difficulties referred to by the hon. member for Guysboro as obtaining in Nova Scotia, are to be found in a much more aggrevated degree in my own province of British Columbia. My own riding is probably 50 per cent larger than the whole of the maritime provinces put together, and in some instances the people are 400 miles from a railway, and are struggling to build up new districts. In such cases the Postmaster General should certainly not look for revenue. The hon. gentleman has admitted that he has a margin of three per cent between revenue and expenditure in that province, and I do think that where people are going immense distances to get their letters he should at least expend all the revenue obtained in the province to supply increased postal facilities. I trust the minister will take this matter into his consideration.

Bill reported, read the third time, and passed.

SUPPLY—PROTECTION FOR THE STONE INDUSTRY.

Mr. FIELDING moved that the House go into Committee of Supply.

Mr. GEORGE H. BRADBURY. I desire to call the attention of the government, and the House to a matter of considerable importance which affects a large number

of the working class of this country. I have here a letter from the secretary of the Stonecutters' Association of Manitoba, inclosing a resolution passed by the British Columbia Stonecutters' Association, and as the correspondence explains itself, I shall read it to the House:

TYNDALL BRANCH OF THE STONECUTTERS' ASSOCIATION OF NORTH AMERICA.

Tyndall, Manitoba, March 28 1910.

Dear Sir,—I have been instructed by this branch of the Journeymen Stonecutters' Association of North America to appeal to you on our behalf with regards to the inclosed resolutions from Vancouver branch, and which we endorse, as you are our representative in the Dominion House. Trusting that you will look over those resolutions carefully,

I beg to remain, sincerely yours,

D. MacGREGOR, Cor. Sec.,
Carson Quarry Post Office,
Tyndall, Manitoba.

VANCOUVER BRANCH JOURNEYMEN STONECUTTERS OF NORTH AMERICA.

Resolutions.

Whereas, protection is said to be in the interests of workingmen, enabling their employers to furnish them with steadier employment and higher pay than are to be had in other countries, without increasing proportionately the cost of the necessaries of life; in effect increasing their income in at least greater ratio than their outlay, and whereas:

The Canadian customs tariff, by oversight or otherwise, leaves the occupation of stonecutting entirely outside of the scheme, and has an effect directly opposite to that supposed to be intended. Duties of 30 to 35 per cent are (outside of the British preference) levied on the importation of almost every article we eat, wear or shelter ourselves with, while the one and only thing we sell, our labour in producing stone, is protected to the extent of 20 per cent only. Instead, therefore, of being beneficiaries of the system, stonecutters are being very unjustly discriminated against, and whereas:

Cut stone is being imported here from the United States in increasing quantities while numbers of local stonecutters are walking the streets idle, we are confronted, not with a theory, but a very serious condition which requires an immediate and drastic remedy.

Therefore be it resolved, that this branch of the Stonecutters' Union appeal to the Dominion government for redress in this matter, advancing no opinion as to the relative merits of free trade or protection, but claiming a right to equal treatment with our fellow citizens. If the policy of the government is in the direction of free trade we request the reduction of duties on all the necesaries of life to 20 per cent. If, on the other hand, the policy is protection, we request an increase of the duty on cut stone to the average amount collected on such necessaries. We ask for no favours, we desire none. All we want is simple justice and equal rights with other people. We wish for no more, we will not be content with less. We do not grab timber limits, water-powers, or other natural resources (they forgot to include the Indian lands, Mr. Speaker), and then agitate for further privileges and concessions. We give a fair day's work for a fair day's pay, value for value. We demand no privilege, we should be put under no handicap. And further be it resolved:

That a copy of this resolution be forwarded by the secretary to the Right Hon. Sir Wilfrid Laurier with the respectful request that he give it his serious consideration.

A. DUFF, President.
J. MARSHALL, Secretary.

I presume, Mr. Speaker, that the government is in possession of this resolution as it is some time since I received a copy. In my own county, I think nearly all the quarries that are at the present time working in Manitoba, are situated. All the building stone that supplies Manitoba, and the Northwest Territorities come out of the Garson or the Gunn quarries in the county of Selkirk, and I think I may say these limestone quarries are second to none in this Dominion. You can get stone there from one foot to 20 feet; they have extensive plants, they have saws and lathes, and are capable of finishing stone in first-class style. I submit that an industry of that kind should be thoroughly well protected. The Garson quarry is only one of the quarries situated in Selkirk county, and there are 400 or 500 men engaged in it. It is a notorious fact in the city of Winnipeg, which is building so rapidly, a large quantity of the stone which they are using in these magnificient structures is at present imported, while a great many of the stonecutters, the workingmen who are the bone and sinew of our country are not receiving the remuneration they should receive for their skill as mechanics. I would therefore ask the government to take into serious consideration the protection of the stone industry, not only against the finished article, but against the partially manufactured stone.

By this I mean sawn stone. Under the improved system of manufacturing stone, the stone for window sills, stringers, etc., is sawn to any dimension required and is put in place without the stonecutter putting a hammer or chisel to it. So I would ask the government, when considering this question, to consider not only the finished article, but the partly manufactured article. I think I am justified in asking this in view of the fact that so much imported stone is coming into Canada. Right here in Ottawa, in the magnificent new station building in sight of the parliament buildings, all the stone, I understand, is sandstone imported in the finished state from Ohio. We have a similar example in the city of Winnipeg, where some years ago the government built the post office, which we designate there as the annex to the Winnipeg 'Free Press' office. It is a magnificent building, but strange to say, this government, which ought to encourage

the use of Canadian stone, passed by the Manitoba stone, which is admitted to be equal in appearance and in quality to any other stone that is being used in Winnipeg to-day, and imported every foot of stone that went into that building. I say this is an outrage. The government of this country should, wherever possible, use in our public buildings the material we are producing in our own country and encourage home industry. It is an oversight which I hope the government will not be guilty of again. Some of the finest structures in the city of Winnipeg to-day —the Canadian Pacific railway station, the Canadian Northern station, and in fact most of the great buildings—are manufactured at the Garson quarry, one of the finest quarries in the Dominion of Canada; and how the government of Canada, in face of the fact that this quarry was turning out such magnificent material, could go out of the country to get stone for a public building, I cannot very well understand. I trust we shall never have a case of that kind again in the western country, and there is certainly no need of doing so in the east, because the limestone of the Ottawa valley is not equalled in any part of this continent. If men are bound to have imported stone in their buildings, let it come in the raw state, and let our stonecutters, who, as this resolution says, are paying high duties on everything they eat and wear, have equal protection and equal rights with the rest of our citizens. I do not intend to detain the House any longer, but I trust that if there are any negotiations with the United States before the House is called together again, the government will take care of this matter as well as the protection of our gardeners, which I referred to a few days ago. Both of these questions are important to us in the west.

Motion agreed to, and House went into Committee of Supply.

Experimental farms, $110,000.

Mr. HENDERSON. Will the hon. minister explain the increase?

Mr. FISHER. It is due chiefly to the fact that we are running three new farms—one at Lethbridge, one at Lacombe and one at Rossland, as well as a fourth on Prince Edward Island.

Mr. SEXSMITH. The minister gave us a very eloquent address the other day on the work of the Department of Agriculture, and mentioned a number of experiments that are being carried on at the experimental farm, but there are some which he did not tell us anything about. I had the pleasure a little time ago of visiting the farm, and I saw there what I presume were experiments such as I have never heard of or seen before. At the experimental farm in Ontario we have been taught to take care of our implements. At the experimental farm here I saw ploughs and other implements that were put under cover just as they had been taken out of the ground, with a great deal of clay on them. I thought perhaps this was an experiment to see whether it was better to leave the clay on or to have them properly cleaned and oiled before they were put away for the winter. Some machinery was properly housed under cover, while considerably more was out under an open shed, with from three to six inches of ice on the wheels. I supposed that was another experiment to see whether it would be better to have the machinery outside frozen in the ice or under cover where it would be dry. A considerable quantity of machinery was there, and one side was open and the water had frozen in the spokes of the wheels. Now, I do not know what the object of the minister was in keeping the place like that. Perhaps he will explain what his intention is with respect to those experiments.

Mr. FISHER. I sympathize with my hon. friend. We have an implement shed or building in which the great majority of the farm implements are placed, but I certainly do not consider that any implement should be put in to that house in the fall of the year without being properly cleaned. I am surprised to hear that any implements were so placed. I will certainly inquire about it and instruct the officers that that should not occur, because I think it would be wrong. So far as the shed in which there was water and ice is concerned, I can only suppose he alludes to a shed that was started last fall and which is not yet completed, and it is possible that some of the wagons and other things in the shed might be in the condition he has described. I have not been able to visit that shed during the winter, and therefore I cannot say whether the condition is such as my hon. friend describes. The shed ought to be ready soon, and the implements in the shed ought to stand in a dry place. I think that it is well established that this is a good place for implements.

Mr. SEXSMITH. I can assure the hon. minister that that was the condition of affairs when I was there. I confess I was considerably disappointed when I found machinery, wagons, horse rakes and so on in that condition. That is not my idea of what an experimental farm should be. I can remember the model farm, as we used to call it in the old days, in Ontario, and although it did not bear the same reputation that the Dominion Experimental Farm enjoys, I think it is one of the greatest institutions of the kind in America. Lis-

tening to the hon. minister's address the other day, one would have thought that he had never visited other experimental farms in Canada. He practically took to himself the credit of having monopolized the establishment of such farms.

Mr. FISHER. Oh, no.

Mr. SEXSMITH. There are a great many things that have been brought about by our experimental farm here, and by the very efficient experiments and tests that have been made. I do not wish to criticise a great deal of the work that is being done there, but I do wish to say that in my opinion, there is not more than half of the work being done that should be done. The agricultural industry in Canada is the greatest industry there is, and really it gets less attention and has less spent upon it by the government than almost any other industry in the country. An experimental farm conducted by the Dominion government, ought to be beyond reproach in every way. I would ask any farmer, or any lawyer, in this House to go out to that farm, and he will find that there are many farms in the province of Ontario that are more neatly kept. There are a great many eyesores at the experimental farm that could be removed at very little cost. One of these eyesores is the hog-pen. During the last days of the session, a year ago, another member and I visited the experimental farm, and we found the hog-pen in a deplorable condition. I was sorry, at the time, that the minister had got his estimates through and that I did not have an opportunity of drawing his attention to it. In the lower part of the pen, there were some hogs, and the manure had been piled up in to such an extent that I did not consider that half of that sty was fit to have a hog in it. That was in the latter days of April. Later, I had the opportunity of visiting the farm with a number of farmers, some 400 strong, from my riding, and West Peterborough, and West Durham, and to my utter astonishment, the manure which I had seen piled up in April, was still there, though in a smaller quantity. Now, these are things that should not exist on a model farm, if my conception of a model farm is right. I would urge the minister, if he is going to conduct experiments in the interests of the bacon industry, to at once destroy what they call the pig-pen at the experimental farm and have one put up that would be up-to-date, so that the farmers coming from all parts of the Dominion would see a model pig-pen, model cow byres, and everything else as it should be at an experimental farm. But I certainly do protest against the class of pens used for housing the hogs.

Mr. FISHER. I am glad that my hon. friend (Mr. Sexsmith) has mentioned these things. As to the particular pen of which he speaks, that was an experiment and everything about it was done advisedly and intentionally. It is known that many people in the country are short of straw for their hogs and have tried to get other kinds of bedding. We have had many applications for information as to the use of black muck. If it were satisfactory and increased the manure from the hogs, it would be a good thing for many farmers. We carried out the experiment in this case. It is true, the results are not considerd to be satisfactory. But the hon. gentleman sees that we are trying experiments with regard to the management of hogs. As to the hog pen generally, the upper part was built many years ago. According to the then ideas of the best hog raisers in the country, it was a model. I admit that things have changed since those days, and now it is not a model. But, for two or three years back, we have been testing the best way of keeping hogs. Among other things used is the large pen below, to which the hon. gentleman referred, and which has proved a good practical pen for the running of brood sows in the winter time. It is not a very gorgeous affair, but it is very practical. When the time does come for us to put up a permanent building in that new style, we shall embody in it the elementary principles of this one, but with better construction. That also was intended for a test. Of course. we did not want to spend much money in a test that might not work out satisfactorily. The hon. member may have noticed a small pig-pen near there, a little building which was put up a year and a half ago on what we thought an improved model. We wanted to see whether it would work out before we put up the large pen. It was largely a question of ventilation, and of keeping the walls dry. That is one of the most difficult problems in hog pens—to keep the walls dry, to give ventilation and yet not make the pen too cold. That building has been a success, and we hope to put up a large building for all our hogs on the same lines of construction. But, I do not think it would have been wise to go ahead on a large scale before trying this experiment. I accept the hon. member's criticisms in the spirit in which they were intended. I think we should have all the better hog pen because of the tests we have made and because of what we have learned from those tests.

Mr. STAPLES. The Minister of Agriculture (Mr. Fisher) took up three hours of the time of the House on Friday, explaining the wonderful progress made in regard to the experimental farms of this Dominion. No doubt some progress has been

made, but it has taken the minister, who claims to know more about agriculture than almost any man in the Dominion, a long time to learn. Instead of being a source of information to the provinces, which have not the large revenue for these purposes that the Dominion has, he has been content, so far as I can see, to lag along behind. The minister speaks of the hog pen. It has been constructed only within a recent date. When I first came to this House, one of the first places I visited was the experimental farm. I must say I found the condition of the buildings very inferior. And I, with other members, did not fail to call the attention of the minister to the condition of affairs. That was about seven years ago. The minister has at last wakened up to some of the suggestions then made. The minister boasts of his great progress, but, apparently, he is afraid to take the lead to any great extent. He admits that agriculture is the greatest industry of the country, but he is always slow in moving unless he is prodded from this side. He speaks of his splendid officials. I believe he has good officials; any that I know are certainly good men. If he would listen to the suggestions of his officials, in my opinion, greater progress would be made in these experimental farms. The hon. minister has been acquiring new experimental farms, of which he told us the other night. He has acquired two in the west, and now intends to acquire another in Saskatchewan. But when he decided to establish an experimental farm in Alberta. I understand, he acquired merely a quarter section of land. I had the pleasure of being at that experimental farm at Lacombe, and found, much to my surprise, that the minister had secured only 160 acres, though he might then have secured more at a reasonable price. When he comes to extend the boundaries of that farm, he will find that he will have to pay a pretty high price, for the people know the position in which they have got him. It was not necessary that he should get into that position. In superintending the affairs of agriculture for this country, the minister is not as active as he should be, and does not appear to have the originality which should characterize one in his position. A great many of the experiments he has undertaken have turned out not greatly to his credit—I do not wish to go into the details of his experiments with chickens and other things. In considering what is necessary for the instructions of the agriculturists of Canada, he should study these matters more seriously. Instead of taking trips abroad, he might visit the experimental farms. We can go away for three or four months, it may be, but I believe he has not been able to visit these western farms more than once since they were established. His first duty is to his department, and he should pay more attention to it. He should work out bigger schemes for the education of the farmers than have been characteristic of his administration.

Mr. FISHER. I am sorry I do not go fast enough to suit the hon. member (Mr. Staples). I think I am going as fast as the means placed at my disposal and the decisions arrived at by experts permit. He cast reflections on my taking trips and not visiting the experimental farms. I can only say that, so far as I can remember, I have not taken a journey of any kind whatever for fourteen years—since I became minister—except on official business.

Mr. HUGHES. Not even a wedding trip.

Mr. FISHER. Not yet—been too busy. I have been hoping for a holiday when I might go for a trip, but I have been debarred from it hitherto. But I did visit every one of the experimental farms in the Dominion except the one at Nappan, and I hope to do so soon again. I can assure him I am doing the best I can and I am sorry if I cannot satisfy him.

Mr. SEXSMITH. The minister says he was experimenting with dried muck. I did not see any dry muck.

Mr. FISHER. No; you saw it after it got wet.

Mr. SEXSMITH. The farmers of East and West Peterborough have been in the habit of visiting the experimental farm at Guelph for some years. Some eight or ten years ago they came to Ottawa. I had not the pleasure of being here with them then, but they did not return here until last year. On arriving here they were conducted around the farm and saw everything that was to be seen, but a great many were greatly disappointed. They had been visiting the experimental farm at Guelph, which has not the Dominion treasury behind it, but a very much more meagre resource, and coming to Ottawa to visit the Dominion Experimental Farm they expected to see something on a much greater scale, but they said: This does not compare with the farm at Guelph. I was sorry the conditions were such that this great number of farmers should find the Dominion Experimental Farm not anything up to their expectation. A number of these little things I speak of were eyesores then, and they are still there. It would cost nothing to have them removed.

Mr. FISHER. What kind of things.

Mr. SEXSMITH. The rubbish pile around the buildings, old boards.

Mr. FISHER. When building operations are going on there must necessarily be some piles of lumber and debris. The

office buildings have been under construction now for over a year, and during that time lumber, scantlings, etc., are of course piled around the building. The shed the hon. gentleman spoke of is not finished, and no doubt there was some lumber piled around there. There is a regular rubbish heap behind the implement shed, and the tobacco curing station, where it is well out of sight and where we do, for practical purposes, put any odd pieces of lumber, scantling beams, etc., until they become useful for our operations. We might destroy them and get new stuff, but that would be very short-sighted and extravagant.

Mr. SEXSMITH. I am aware there is some rubbish where new buildings are being erected, but what I call rubbish was a rubbish heap. There may have been some valuable stuff, but there was some that would never have any value. However, those are only trifling matters. How many foremen are there over the live stock department?

Mr. FISHER. There is one farm foreman for the farm, and a herdsman who has charge of the animals in the barn. The man who feeds the horses and is responsible for their care might be called foreman of the horse stable, but he does other work as well.

Mr. SEXSMITH. Has the herdsman complete control over the cattle?

Mr. FISHER. Not complete control; he has control under Mr. Grisdale, the agriculturist.

Mr. SEXSMITH. Is Mr. Grisdale a competent stock man?

Mr. FISHER. Yes, thoroughly.

Mr. SEXSMITH. I suppose the herdsman would not be in a position to discard a cull animal without authority?

Mr. FISHER. No.

Mr. SEXSMITH. Do you think that is the better plan, to have a herdsman and one or two over him?

Mr. FISHER. He is only under Mr. Grisdale, the agriculturist, who is a scientific stockman.

Mr. SEXSMITH. How long is it since you had the first herd of Ayrshires?

Mr. FISHER. I could not say. I think there have been some there ever since the farm was established, but there was a slight reorganization of the stock work about nine years ago, when the Ayrshire herd as a dairy herd was established.

Mr. SEXSMITH. I am not an expert in any of these breeds, but when I see a cow milked and the milk weighed, I know how much it weighs and I have a fair idea of what an ordinary cow should milk. I happened to be there when they were milking. I only saw one or two weighed, and by looking over the herd they were in fine condition and all that, but as near as I could learn there was not what we would call a first-class dairy cow in the Ayrshire herd. A three-year-old heifer milked eleven pounds.

Mr. FISHER. I am surprised that my hon. friend says that, because good experts in the Ayrshire breed would say there are some first-class Ayrshire cows. I have asked the average of the full-grown cows and it is about 8,000 pounds of good milk in the season. From the report we see that some go as high as 400 pounds of butter a year, which is a good yield. I wish I could have a herd that would average that.

Mr. SEXSMITH. I think that is a small yield when compared with many others.

Mr. FISHER. Does my hon. friend say that 400 pounds of butter a year is a poor yield?

Mr. SEXSMITH. Very moderate.

Mr. FISHER. I do not agree with my hon. friend.

Mr. SEXSMITH. I would not wish to say there are not some very fine looking Ayrshires.

Mr. FISHER. It is not a question of looks, but of performance.

Mr. SEXSMITH. I happened to see the one heifer weighed, a fine looking animal, but the milk only weighed eleven pounds.

Mr. FISHER. How long had she been milking?

Mr. SEXSMITH. Only a short time.

Mr. FISHER. Was it her first calf?

Mr. SEXSMITH. Her first calf. 21,000 pounds is getting to be a regular yield for dairy cows.

Mr. FISHER. There is not an Ayrshire cow in Canada giving 21,000 pounds.

Mr. SEXSMITH. I am not speaking of Ayrshires, but of dairy cows. The minister the other day spoke of the conditions in Denmark, and the great change that had taken place there. If I remember the statistics, the average production of each cow was formerly about 2,200 pounds. In about seven years they had, with the assistance of the government, raised the average production up to 7,000 pounds all over Denmark. I do not suppose it is relevant to the question to ask the minister how that was brought about.

Mr. FISHER. Well, I can tell my hon. friend. It has been done by systematic instruction, education and co-operation through the cow-testing associations, a work which we have been striving to introduce into Canada now for four or five years back, and which we have made some progress in instituting in Canada. At the present time the prospects for the increase of that kind of work are very good.

Mr. SEXSMITH. The government has made experiments with regard to the dairy cow, but is the minister not well aware that the government there undertook to raise the standard of the dairy cow?

Mr. FISHER. How?

Mr. SEXSMITH. By importing and sending out among the farmers a great many sires of the Holstein type. They came to the conclusion that a certain cow was the best, and then they did everything to introduce that cow in the country. A great many sires were purchased by the government and put around through Denmark.

Mr. FISHER. We have been making tests for years as to the production of cows of different breeds, but we have left it largely to private enterprise to provide the best quality of sires for distribution throughout the country. I think my hon. friend would find that there would be a very strong protest if the government were to enter into that business. I do not think that is the best way to accomplish the object, and in Canada to-day there is an abundance of good dairy sires. However, we have been trying to educate and stimulate the farmers, so that they would purchase these sires and use them, and for this purpose we have been seeing on the experimental farms what the average production of each breed has been. We have at the farm four herds of different dairy breeds. I have been asked to add a herd of Holsteins, and I hope to be able to do that. But, at the present time, there are Ayrshires, Canadian cattle, Guernseys and Shorthorns, and we have tested them as to the quality of milk and butter, the amount of food consumed, and the cost of production All that information is given out for the benefit of the people. I have never thought it the duty of the farm, nor of myself, to undertake to discriminate between breeds, and I do not think that the people want us to. One breed may serve one man's purpose better than another, and we leave it to the judgment of each individual farmer to decide as to what breed he shall use.

Mr. SCHAFFNER. The minister received quite a scolding the other day, and I think he must admit that he brought it on himself very largely

Mr. FISHER. I do not admit it.

Mr. SCHAFFNER. There is a good deal of money spent on these experimental farms, but I do not say there is too much. I believe there should be more. I am a little doubtful that the farmers receive the results that they should from the amount of money expended. We must make experiments, but it is very little use to make these experiments, and to spend money on them unless the knowledge that is gained reaches the people. These experimental farms have been in operation for some time, but I am afraid that the results are not reaching the people for whom they are intended. Personally, I believe that the best selection of land has not always been made in locating these experimental farms. The minister may say that he did not establish all these farms, that a number of them were established under the Tory regime. I am quite willing to admit that the Tories did not always do everything right.

Mr. FISHER. It does not matter; this is not a party question.

Mr. SCHAFFNER. No, it is not a party question. The experimental farm at Brandon is in a very unsuitable place. It is the only experimental farm in Manitoba, and for a great many years it was the principal experimental farm in the west. I believe that experimental farms should be established in the western country on land as much like the rest of the land in the country as it is possible to get.

Mr. FISHER. Hear, hear.

Mr. SCHAFFNER. I am prepared to say that in the province of Manitoba there is not ten per cent of land similar to that on which the experimental farm at Brandon has been placed. It is down on the banks of the river, well protected, and on heavy soil when, if they had gone back a mile on the hill, they would have found land for experimental purposes similar to 80 or 90 per cent of the land to be found in the country. I went through the reports of the different experimental farms the other day, and I found two or three of the main experiments that should be made not touched at all. I found out that different kinds of experiments are being carried on with respect to grades of wheat and different kinds of grain and seeds, but nowhere did I find experiments as to shallow or deep ploughing, the best time to plough, and especially as to the operation of packing the soil. I did not find packing the soil mentioned in the whole of the experimental farm reports. The farmers are visiting each other's farms and conversing at their meetings trying to find out whether it is profitable to undertake this form of cultivation. The machine they use for packing is very expensive and this is information which

should be placed in their possession. Yet, we have had no experiments as to the proper time to pack the ground, whether it should be packed in the fall after ploughing, whether it should be packed in spring after ploughing, or whether it is best to pack at all, or whether they should only make use of the harrow. I believe that the minister has in his mind now, something that I think will be of very great advantage. That is the establishment of small experimental stations.

Mr. FISHER. I stated it the other day.

Mr. SCHAFFNER. I was not here, although I believe the minister did state it. That is something the farmers are going to get very great advantage from. Southern Manitoba is one of the very important farming districts of the west, and there could be no better place to establish one of these stations than in the constituency of Souris. There should be some means taken, whether it should be done by the local government, by the railways, or how, I do not know, to get the farmers to visit these experimental farms. I do not think that enough has been done to disseminate the knowledge gained there. It seems a most difficult thing to get farmers to read the reports that are sent out. I am sure the minister will recognize that fact. It is the same in everything else. What you see gives a far greater and more lasting impression than anything you read, and we should establish these experimental stations, not too large, or too expensive, as thickly as possible, and we should try to adopt some further means of getting the knowledge gained at these farms disseminated amongst the people. I am a great believer in experimental farms, but I think that up to the present time the experiments have hardly been as practical as they might be.

Mr. FISHER. I take the friendly advice of my hon. friend (Mr. Schaffner) in the spirit in which it is given. I may say that I have already announced in the House that I have embarked on the establishment of smaller experimental stations just as he recommended. At Lacombe, a quarter of a section has been bought, and it is not my intention to add to that.

Mr. SCHAFFNER. A quarter of a section is not quite large enough. I do not think any farmer in the west would consider 160 acres of land sufficient to make these experiments.

Mr. FISHER. The comparisons can be made in fields of three or four or five acres just the same as if they were made in fields of twenty acres each, and the farmer who comes to visit these stations can more easily study the results in the small fields than if he had to walk over the prairie. He can compare the experiments much easier and with much greater convenience if the fields are small. The hon. member from Macdonald (Mr. Staples) said that the price of the land purchased was high, but I find wherever in the west I have to get land suitable for experimental stations that the price is very high. These experimental stations have to be near a railway station so as to be easily accessible to visitors, and the land has to be suitable. Their value would be greatly curtailed if they were situated in some out of the way corner, and to get land with all the necessary requirements I have to pay a high price for it. I think the money would be better spent in buying a small area in a suitable and accessible place than in buying a larger quantity of land in an out of the way place where the land might be obtained at a less price.

Mr. SCHAFFNER. What does the minister call a high price for land there?

Mr. FISHER. $50 an acre.

Mr. SCHAFFNER. Oh my, no.

Mr. FISHER. I think $50 an acre is a good price for land, but I must admit that I have had $200 an acre asked me. At $50 an acre a quarter-section costs $8,000 and if I have to establish experimental stations all over the country it would come to quite a nice sum of money. My hon. friend will remember that sometimes we are criticised for extravagance. I am trying to do things effectively and still not spend too much money.

Mr. SCHAFFNER. You expect to pay the market price?

Mr. FISHER. Yes.

Mr. SCHAFFNER. $50 an acre is about as good as you can do in Manitoba for good land?

Mr. FISHER. Apparently, and sometimes I cannot get land for that situated near a railway station. Now, I think my hon. friend is mistaken in saying that he cannot find in the experimental farm reports the results of experiments in deep and shallow ploughing. We have been carrying on experiments of that kind for years, and if he carefully examine the reports he will find frequent references to it. Then, as to the experiments in packing the soil I may say that we have had a packer at work on the Brandon farm for three years.

Mr. SCHAFFNER. I can find nothing in the report as to what is the best time for packing.

Mr. FISHER. In the report on the Lacombe farm there is a reference to that very thing. I may say that we do not like to present a report on the very first trial

of a thing; we prefer to try it out sufficiently to be able to give a reasoned report on it. Frequently work has been done on the experimental farms for a series of years before any definite report is made as to results. One of the most important things in connection with the experimental farm system is that we should not lead the farmers astray, and it is a wise precaution to be sure rather than to give ill-judged and hasty reports which afterwards may have to be modified. I am very proud of the fact that Dr. Saunders has always been very careful indeed to see that the recommendations he makes are founded on experience sufficiently long to justify them.

Mr. STAPLES. I take issue with the minister when he says that 160 acres is sufficient for an experimental farm. Then again, as to the cost of the land, if the minister would not spread the fact all over the country that he is to establish an experimental farm at a certain place, before the purchase is made, he would be more likely to get the land at a cheaper price. It was advertised all over the country that the experimental farm was to be established at Lacombe, and when he proceeded to purchase the land naturally everybody in the district wanted a high price. However, the farm need not have been established at Lacombe as there are other points with equal facilities for an experimental farm. Now, I am not criticising the price paid——

Mr. FISHER. Since we bought that farm the land adjoining has been sold at a considerably higher price, and if the farm were to be sold to-day I have no doubt we could get almost double what we paid for it.

Mr. STAPLES. There is probably no question about that. I persist however, in my view that 160 acres is not sufficient land on which to carry on an experimental farm. You have to put buildings on the 160 acres which will cost just about as much as buildings which would be suitable for an entire section, and to that extent the money is wasted. The minister shakes his head, but I want to tell him that the best way to utilize these experimental farms to advantage is to supply the farmers with the best quality of seed, and, in order to do that he would need a considerably larger area of land. If instead of 160 acres he had a section or two sections, he would find the buildings he has there quite ample. One of the best purposes served by the experimental farms established throughout the west is the production and distribution of the best quality of seed. The great difficulty in that western country is that the farms are becoming polluted with weeds, and if the experimental farms were devoted to the production of clean seed, it would in my opinion be of more benefit to that country than anything else that it could do. You cannot produce much seed on 150 acres, therefore I claim that that is not sufficient land for an experimental farm.

Mr. CAMPBELL. It is not often that I differ with my hon. friend from Souris (Mr. Schaffner), but I certainly differ with him when he says that his constituency affords a most ideal site in Manitoba for an experimental farm. That is by no means the case, but Dauphin affords the ideal location. It comprises one-third of the whole province of Manitoba, and is situated more advantageously than any other constituency in the province. It is a delta between the lakes in the north, the Riding mountains in the south, and the Porcupine and Duck mountains in the west, and its possibilities are very much greater than those of any other part of Manitoba. A few moments ago the hon. minister said that he was doing the best he could with the money at his disposal. That is the great complaint of the representatives of the agricultural communities, that he has so litttle money at his disposal. The farmers are the greatest wealth producers of this country. Last year they produced over $500,000,000 by the sweat of their brows and the labour of their hands, for the benefit of Canada, and the minister has a paltry sum of less than one million dollars with which to experiment with for their benefit, and he sits quietly by and allows the Minister of War to snatch from the treasury of this country, for his gold-bedizoned officials, about $7,000,000 a year. Of what use are the militia of this country to the farmers? They would starve if it were not for what the farmers produce, and the Minister of Agriculture forgets his duties to the people when he allows what I would almost call a steal from him by another minister. I take it that the Minister of Agriculture is conducting experiments in all the various branches of agriculture. I have looked somewhat carefully into some of the experiments under his charge. He is making one experiment which, if it is a success will be of the greatest benefit, not only to Canada, but to the world. I see that at the experimental farm he has 18 horses of which 13 are geldings. If he ever gets these geldings to breed, he will confer the greatest benefit not only on Canada, but on the world. The minister said, in answer to my hon. friend from Souris, that $50 an acre was a great deal too much to pay for land for experimental stations. That would amount, roughly speaking, to $8,000 per quarter section. I

want to point out to him that if he had the $112,000 that was spent for the purpose of building eight cottages for some pot boys and understrappers for the officers at Kingston, and diverted it to the use of his department, he would have been able to establish 14 experimental stations even at that price. While we on this side of the House, perhaps, do not take exception to the little that the Minister of Agriculture does, we do take exception to the great deal that he does not do for the farmers of this country.

Mr. BARKER. The minister mentioned the other day that a site had been selected for a new experimental farm in northern Saskatchewan. Will he tell us exactly where that site is, and any other particulars of interest to the public?

Mr. FISHER. I had reference to a site near a station called Scott, on the Grand Trunk Pacific line between Saskatoon and Edmonton.

Mr. CAMPBELL. Any relation to Walter Scott?

Mr. FISHER. Not that I know of. Scott station is about 120 miles west of Saskatoon. There is a small cluster of houses around the station, but a great many settlers have gone into the district. I was able to secure 220 or 222 acres there at what appeared to be a low rate, $13 an acre. I have a report that the land is of very good average quality all over. There is not an obstruction or a tree upon it. It is bounded on the north by the railway fence, and the eastern boundary of it is within a quarter of a mile from the station.

Mr. BARKER. Can you tell the section number?

Mr. FISHER. I could not offhand.

Mr. STAPLES. How many acres are there in the experimental farms at Indian Head and Brandon?

Mr. FISHER. There are nearly 700 acres at Indian Head, and about the same at Brandon, somewhere between 600 and 700 acres.

Mr. STAPLES. I claim that the minister has again made a great mistake, and that he has not sufficient land there to establish the kind of farm that I, as a farmer, think should be established. He will have to equip that land with the necessary buildings to carry on a certain line of farming, and he might just as well have got two sections of land for the purpose that is most beneficial to the farmers of the west, the production and distribution of the best quality of seed.

Mr. CAMPBELL.

Mr. HUGHES. Might I ask the minister as to the matter of an experimental farm down in what is known as the dry belt. There are a great many settlers going into what is known as the dry belt, and I understand that representations have been made to the government for some experimental station there. Some years ago, I think the minister said that if he were granted a certain piece of land, he would pay for it a reasonable price, in order to test what he called a system of dry farming, the same as they have it in the United States. Has the minister taken any steps to establish a farm such as that?

Mr. FISHER. We established a farm at Lethbridge for that purpose.

Mr. HUGHES. Oh, that is different. That is in the fall wheat district.

Mr. FISHER. It may be, but that district is dry. The hon. member knows that the southern part of Alberta is dry. We have at Lethbridge an establishment of about 400 acres, which the Alberta Railway and Irrigation Company were good enough to present the government with.

Mr. HUGHES. Why not have one at Zealandia?

Mr. FISHER. Where?

Mr. HUGHES. I am surprised that the minister does not know where Zealandia is. He knows where the Scott township is. Zealandia is a place southwest of Saskatoon between Saskatoon and Calgary, in the triangle between Saskatoon, Calgary and Moosejaw.

Mr. FISHER. No, we have not any farm there. We have had representations that a farm should be placed south of that, and I have also had representations from other places in the neighbourhood.

Mr. HERRON. Has the minister made any provision for establishing an experimental station in the Macleod district? I am sure there is a splendid opportunity there to help the farmers of that locality, between Macleod and Calgary.

Mr. FISHER. Lethbridge is only 40 miles from Macleod.

Mr. HERRON. Well, it is in a semi-arid belt, you might say. It is not truly an experimental farm in a dry belt; at least I would not consider it so.

Mr. FISHER. Why not?

Mr. HERRON. Because the water distributed through the locality has a tendency to moisten the whole country.

Mr. FISHER. No, no.

Mr. HERRON. Well, I think that is the experience of the men who are in the busi-

ness. It extends for a considerable distance from the irrigation ditches, so I would not claim that Lethbridge is really a dry station. There should be one between Calgary and Macleod, or even at Pincher creek, if you can go so far.

Mr. BRADBURY. Speaking of experimental farms, I should just like to say that we have a large district lying along Lake Winnipeg. About 2,000 settlers, including Ruthenians, Polanders and Germans have been placed there by the present government, and they find it impossible to make a living on these lands. It has been suggested that the government should establish an experimental farm in that district to instruct those people how to utilize their lands, and I think an experimental station could be established without any great expense. My own opinion is that these people should never have been settled there at all. I do not believe the land is fit for settlement, as it is poor and covered by water half the time. The local government of Manitoba is doing their best to drain it, but even when it is drained, I do not believe it will be of much use. This government had a grand opportunity when they had the lands of the St. Peter's reserve that I was speakng of a few nights ago. There you had 48,000 acres of the best land in the province, a part of which the hon. Minister of Agriculture could have taken for the purposes of an experimental farm. Then the government could have removed the settlers I refer to, and brought them into the neighbourhood of Selkirk and placed them on good lands. It would not have been necessary to have given the lands away, for these men would be prepared to pay reasonable prices, probably three times as much as they were sold for. They are just as fine a class of settlers as are to be found in Manitoba, but the men are forced to leave their places and their families in the summer time go into the cities to seek employment. Something should be done by the government to give these people good homesteads, or they should be placed in a position which would make them independent of the government or of anybody else. Two years ago it was necessary for the government to send out some assistance in the shape of flour, bacon and so on to these people, but they do not want charity; they are too proud for that sort of thing. I would urge upon the government and upon the Minister of Agriculture the advisability of seeing whether they could do something to help these people to get good lands.

Mr. GOODEVE. Last session when this same question was up, the attention of the minister was called to the needs of an experimental station in the southern part of British Columbia, particularly in the district of Kootenay. We have there a semi-arid or dry belt where irrigation would be of great advantage. As a matter of fact, the Canadian Pacific railway and some private corporations have put in irrigation works along the line towards Fort Steele. Last session the minister said he had the matter under consideration, and I merely want to ask him whether anything has been provided in the estimates for any experimental station in that portion of British Columbia?

Mr. FISHER. I am very glad to find that experimental farm stations are so popular.

Some hon. MEMBERS. Hear, hear.

Mr. FISHER. Everybody wants one in his own immediate neighbourhood. It is the best possible tribute to the efficiency of that kind of work. I may say to my hon. friend from British Columbia (Mr. Goodeve) that I had an officer of my department examining different places in the Kootenay and Okanagan countries last summer, and am trying to arrange for the establishment of, I hope, more than one station in what is called the semi-dry belt of British Columbia. I do not desire to say more on the subject at present.

Mr. STAPLES. The minister asks about $98,000 in this vote. Can he state to the House how many experimental stations he purposes establishing?

Mr. FISHER. I could not say positively. I hope that every now and then I shall be able to decide upon a location, and as soon as I do I will take the necessary steps to establish a station. I have every hope that I shall be able to establish several within the coming fiscal year.

Mr. CAMPBELL. It is very nice for all of us to hear an answer from the minister to my hon. friend from Kootenay, but I have not heard any answer to my suggestion with regard to Dauphin.

Mr. FISHER. My hon. friend (Mr. Campbell) and his hon. friend the member for Souris (Mr. Schaffner) were so at variance that I hesitated to decide. I would like to have an opportunity to consider what was said by both of these hon. gentlemen.

Mr. RUSSELL. Does the minister intend to make any improvements in the poultry department of the experimental farm at Ottawa?

Mr. FISHER. The poultry establishment here has been doing good experimental work along various lines. I do not consider, for my part, that the old poultry house is of the kind that is the best for the keeping of poultry in this part

of Canada; I think the experiments have shown pretty clearly that it is not. I am not yet ready to make a start in building a new poultry establishment there. Some additional buildings have been put up, of a much cheaper character, but fully as successful as the more expensive buildings. Everything in the poultry experiments seems to prove that there is no need for expensive buildings. We are trying experiments also as to the performance of individual hens; which seems ridiculous, perhaps, but it is believed that by selecting the individual bird and their eggs and breeding from these, you may establish an improved breed—not a changed breed, but an improved breed. We wish to carry out these experiments and amplify them as much as possible.

Mr. RUSSELL. Does the minister consider that the results attained at these experimental farms warrant the amount of money spent on the farm each year?

Mr. FISHER. I am in the judgment of those who are fit to judge in these matters, of course. The poultry industry is a very great one, and I would not like to curtail the work done. But I may say that what is done at the Central Experimental Farm is only a portion of the work of the officers in the poultry department. Both Mr. Gilbert and Mr. Fortier have spent most of their time in attending poultry meetings and farm institutes and giving instructions with regard to poultry. It is very valuable work, and there is great demand for the presence of these gentlemen in all parts of the country.

At six o'clock, committee took recess.

After Recess.

Committee resumed at eight o'clock.

Mr. RUSSELL. It has occurred to me that there would be a certain amount of overlapping in the work of the different experimental farms throughout the country. We have the farm at Guelph controlled by the government of Ontario, and the experimental farm at Macdonald College in Quebec. I would think that these farms would be able to cover the ground in such a way as to serve all the purposes of the farmers, for whose benefit experimental farms are conducted. They would assist them in raising the best farm products of all kinds. I cannot see that the experimental station in Ottawa is the success it should be. I am chiefly interested in the poultry department. I am a farmer and I think that to be of real service to the farmers of the country better work should be done in that department than is done. I do not think it is encouraging to say to a farmer that the yearly average of a pen of fowl would be from 80 to 100 eggs. That would hardly pay the board of a chicken for a year, and I think the experimental farm is capable of turning out better results than are apparent. As the buildings have been there for 25 years and are out of date, it might be wise to do away with the department here and allow the provincial institutions to carry on this work. The professors from the other colleges lecture throughout the country and Professor Gilbert of the Central Experimental Farm also lectures. They often meet at gatherings of poultry men and I think that either could give the necessary information at these meetings. If you abolished the poultry department here there would be a saving of $6,000 or $7,000 a year which would be an item worth considering. My idea would be that the Dominion Experimental Farm here should be the principal farm, while the provincial farms should be what you would call substations. There is some work that could be done at the institution here that is not being done by any of these institutions. The poultry industry is very important, and if properly developed would take a foremost place in our agriculture. For the year 1908 the value of the poultry and eggs produced in the United States amounted to something over $625,000,000. Taking the population of the United States and of Canada as a basis, our poultry industry here should amount to somewhere in the neighbourhood of $60,000,000 to $70,000,000 a year. I believe it has been estimated at $25,000,000, but I do not think we have any statistics in Canada to prove that. There is no doubt that the demand is much greater than the supply to-day, and our people look to the farmers to meet that demand. The farmers are not paying sufficient attention to the poultry industry, and I believe if the proper means were used to show them what there really is in the business they would take it up to a greater extent than they have done. We should have at the Ottawa station a scientific man who would study the diseases of poultry, making a thorough investigation into all the different diseases. Little is known of these diseases either in this country or in the United States. In the last few years men have been engaged in that work in the United States and they have found out a good deal, but still they seem to be to a certain extent groping in the dark. If the minister abandoned some of the work that is now being done in the poultry department and devoted the money thus saved to the employment of an expert of diseases of poultry, he would be doing more for the industry than is now being done.

Mr. WM. CHISHOLM. I do not agree with the hon. gentleman that the work of the Experimental Farm could be improved

in the way he suggests. His idea is that the branch experimental farms might be dispensed with. I would suggest that what is required is more distribution, decentralization rather than the establishment of central stations. The Experimental Farm here is doing an excellent work, but the farmers throughout the country generally are not in a position to reap the advantages that are accruing because of the fact that the information which is obtained at that farm cannot be sufficiently demonstrated. Whilst the farms are doing good work and the institute lecturers do a great deal in the way of education, the people do not receive the same practical results from the operations of experimental farms as they should. Branch farms should be established all over the country. To explain my position I might quote from the speech of the hon. Minister of Agriculture on Friday. He said:

To instruct and teach the people, object lessons are of the primest importance. If those who live in a particular district can go to an easily accessible central point and there see illustrated the result of good management of the crops and of scientific treatment of the soil, they can learn more than they can by any amount of reading and oral instruction.

The idea I wish to convey is that whilst the Experimental Farm is doing very good work, yet there are other branches of farming besides the cultivation of the soil, and the raising of dairy cows and beef. It is not being done, I contend, in the best way. My contention is that the best method would be to have local farms throughout the country. The minister on Friday last referred to the disease known as the Pictou cattle disease. He explained that an experimental station had been established at Antigonish to ascertain the cause of that disease, and he said it had been demonstrated by these experiments that the cause of the disease was a weed called ragwort. The work that was done there was certainly of importance, and I take this opportunity of congratulating the Minister of Agriculture on having in his department men who are capable of conducting such experiments as those at Antigonish in the satisfactory manner in which they were conducted. I refer particularly to the veterinary director, Dr. Rutherford, who had charge of these experiments. He displayed that intelligence and executive ability which would be expected from him by all who know him and his position and standing in his profession. It is not detracting from him if I say that too much credit cannot be also given to Dr. W. H. Pethick, who was immediately in charge and those associated with him. What they accomplished in demonstrating the cause of that disease, which had baffled the best skill of the continent for many years, is a great tribute to the men in charge of that work. What they have accomplished is the best tribute that could be paid to the work that was done there. It was shown that the Pictou cattle disease was caused by a weed known as the ragwort.

Mr. FISHER. We will come to another vote in connection with that, and perhaps it would be better for my hon. friend to defer his remarks until then.

Mr. W. CHISHOLM. I was just leading up to the question of experimental farms. I am going to ask that an experimental farm be established in my part of the country, and I am trying to lead up to the reason why I shall make that request. The Minister of Agriculture stated the other day that sheep would destroy that weed known as the ragwort, and he intimated that he had been encouraging the farmers by assisting them in the way of improving their breeds of sheep, pointing out that in that way a profitable industry might be established, and in addition to that this pest of the ragwort could be gotten rid of. There is no question that sheep will destroy the ragwort, and the farmers of the weed infected district should feel a sense of gratitude towards the minister and Department of Agriculture for what they have done in that respect. I am quite sure that I am speaking for them in stating that they appreciate all the good work that has been done. They appreciate the fact that the minister has sent, as he stated in his speech, and as is stated in the report of the Department of Agriculture, a number of pure bred rams into that infected district which, after being pastured in the summer, were sold to the farmers. It is all very well to say that the sheep industry is a profitable industry, but the thing is to demonstrate to the farmer that it is a profitable industry. What I am going to put forward is the fact that one of the things that we require in Nova Scotia is a sheep farm. The government have done a great deal for agriculture generally. Beef and dairy cattle have been improved gradually. There has been a great deal of information disseminated with regard to other stock, but in so far as the poor little lamb is concerned he is obliged to bleat just as of yore. The contrast that exists between the condition of the farmers to-day, and that of twenty-five years ago is striking. You will find better cattle, the cattle better looked after, and a greater degree of prosperity. That is due, to a large extent, to lectures at the farmers' institutes, it is due also, to a considerable extent, to the work of the agricultural societies, but more than all it is due to the fact that when one farmer starts out on a certain line his neighbours

are bound to copy him. The farmer goes to the experimental station, he sees how things are done, how the stock is looked after, how it is housed and fed, and he, unconsciously, if you like, copies to a certain extent and good results follow. The Department of Agriculture has done a great deal in a way to inform the people, through literature and speakers, as to how to raise sheep, but there has been no practical demonstration given. They are no farther advanced than they were twenty-five years ago as far as sheep are concerned. Nova Scotia and the maritime provinces offer one of the best fields in Canada and perhaps in the world for the raising of sheep. I venture to say that the highlands of Scotland cannot surpass the maritime provinces. Nova Scotia is in a position to rise sheep with profit, and to make sheep husbandry an industry that will be of immense advantage to the country as a whole. The climatic conditions are favourable. As the minister pointed out in his address, and as was pointed out by Mr. Spencer, who has written an article on sheep husbandry, to which the minister referred, there are a million acres of suitable pasture land there. It has a well adapted climate, and with its short nutritious native grass interspersed with white clover, Nova Scotia is particularly adapted to sheep raising. There is a large proportion of this area of one million acres which is not suitable for the feeding of dairy or beef cattle. The bleak, exposed hills can be utilized for sheep raising. This is a type of land not suitable for ordinary cattle, but the conditions in so far as climate and soil are concerned are particularly favourable to the sheep industry. A great deal has been done for fruit culture. I think there have been about thirty-two model orchards established for the purpose of showing farmers who go in for fruit the best manner of prosecuting that industry, and how the best fruit can be produced. We have an experimental farm at Nappan which is more devoted to beef and dairy cattle, and we have also an experimental farm at Truro, but there has been no practical demonstration of what can be done with sheep. The report of Mr. Spencer, and the report of the Minister of Agriculture, both bear me out in saying that sheep raising should be a most profitable industry in Nova Scotia. What do we find? We find that instead of that industry being in a prosperous state it is retrograding. We find that there are fewer sheep to-day in Nova Scotia than there were twenty-five, thirty or forty years ago. I have the figures of the number of sheep in Nova Scotia for a number of years, taken from the year-book, and they are as follows:

Year.	Number of sheep.
1871	398,377
1881	388,801
1891	331,492
1901	285,244

You will observe a gradual decrease in the number of sheep where there should have been a large increase, because of the fact that Nova Scotia is particularly adapted to sheep raising, and because in the last few years the prices of lamb, mutton and wool have been favourable. As a matter of fact, there are only 5·86 sheep per farm in Nova Scotia at the present time. It may be said that Nova Scotia is not an agricultural province. Let me deny that fact. Let me say too that in Nova Scotia the value of farm products, in the last year, increased over the previous year by upwards of $3,000,000, which shows that farming is not retrograding. I had occasion, Mr. Chairman, to interview the Minister of Agriculture with respect to the establishment of a sheep farm in Nova Scotia, and I suggested that it should be established in the county of Antigonish or within the region of the ragwort infected district. It would only be natural to ask that, because of the fact, in the first place, that experiments were conducted there to show the cause of the Pictou cattle disease for which the government have paid a lot of money in the years gone by, and because of the fact that it was demonstrated that sheep would destroy the ragwort. It is only natural to suppose that in that locality sheep farms might be established. I have no doubt that it would be a profitable business from that start, and that it would be of incalculable benefit to the people of Nova Scotia. In his address on Friday last, the Minister of Agriculture referred to what had been done with respect to the experiments in the county of Antigonish, and he was about to conclude a sentence with, as I had hoped, an assurance that this experimental farm would be established in our province. He went on to speak about what had been done with respect to the ragwort. He said:

> We immediately set to work to try experiments with sheep on a farm in the neighbourhood of Antigonish, and we showed clearly in the course of three seasons that the pasturing of sheep on a piece of land infested with that weed, would destroy it and absolutely clean the land of it within a few years. The result is that to-day we have been able——

Unfortunately, he was interrupted. I was in hopes that he would have completed the sentence by saying that: We will follow up, and finish the work we have begun, and establish a sheep farm in Antigonish. I had hopes that he would carry out the resolution which was passed by the

farmers' convention of Nova Scotia, held on the 23rd February, at New Glasgow, and which was as follows:

We, the committee appointed to consider the promotion of the sheep-raising industry of Nova Scotia, beg to report and recommend as follows:—

With regard to the promotion of the sheep industry, we recommend that, whereas the ragwort and other noxious weeds are alarmingly spreading in the eastern part of Nova Scotia and Cape Breton, and it has been demonstrated, by experiments, made by the Department of Agriculture of the Dominion of Canada, that the ragwort has been the cause of the cattle disease of Pictou county, and that sheep offer the most effective and practical means of eradicating this noxious weed, at the same time thriving thereon, and whereas we believe sheep to be among the most profitable stock on a farm, and regarding, with apprehension, the diminution of the sheep-raising industry in this province, and believing that the eastern part of Nova Scotia, as a whole, to be best adapted to sheep-raising, and being the area, at present, as most infected with ragwort, therefore we, the Farmers' Association, in session at New Glasgow, recommend that the Dominion government, having already done considerable work along the line of investigating the noxious weed question, be memorialized through our federal representatives, requesting that board to establish an experimental sheep station somewhere in eastern Nova Scotia, with a view to stimulating the sheep-raising industry.

The Minister of Agriculture received the representations made by me to him and to the officers of his department on this subject, but pointed out some difficulties in the way of establishing a sheep farm. These difficulties to my mind were the reasons why I expected and hoped the farm would be established. One thing the Minister of Agriculture cannot be accused of cowardice, and I felt that he would grapple with the situation, because of the difficulties that confronted him and that he would be in a position to assure the House when he brought down his estimates, that an experimental system would be established for the purpose of demonstrating to the farmers of Nova Scotia how sheep should be looked after, that that province was specially adapted to sheep raising, and for the purpose of encouraging them to engage in that branch of farming with profit to themselves and to the country at large.

Mr. MACDONALD. I desire to add a word or two in corroboration of the views of my hon. friend from Antigonish. I might be permitted to point out that while we have an experimental farm on the border between the provinces of New Brunswick and Nova Scotia, it is situated in the vicinity of the marshland country which surrounds the Bay of Fundy in those two provinces, the fertility and productiveness of which, as the minister well knows, are possibly unequalled in the Dominion of Canada. Therefore in the conditions as they exist that farm is not of so much value to other portions of the maritime provinces which are not as favourably situated. In the eastern part of Nova Scotia, beginning with Pictou and extending to Cape North in the island of Cape Breton, there exists a condition somewhat similar to what is found in the old country, where upland farming has been carried on with a great degree of success. When we consider that for over a hundred years these upland farms have been compelled to furnish the products necessary to meet the industrial conditions of that portion of the province, we shall realize at once that their power of reproduction has to a great extent become impaired. The desire of the people to turn their attention in some other direction is but a natural consequence of the conditions that exist, and I think the energy of the minister might be very well directed towards the encouragement of sheep culture in that portion of the province. I am aware that he has looked to some extent into this question, and I trust that it will be speedily dealt with by him. When we realize that on the hills and in the valleys of eastern Nova Scotia, the conditions are such as hardly exist anywhere else in the Dominion, and are especially suited to the sheep industry, we shall at once become impressed with the idea that it is a matter with which the government should deal. The proposition to inaugurate experimental farms for sheep raising in that portion of the province does not involve an expenditure on the part of the government from which there would be no return. On almost all the other experimental farms the government spends a great deal more money than it gets back. The returns from the crops do not at all compensate for the experiments made in the various branches of agriculture. But, I am assured by those who have looked into this question that there is no reason why two or three sheep farms established in the eastern part of Nova Scotia should not yield returns great enough to meet or almost meet the expenditure in establishing them and carrying them on. While I do not begrudge our friends in the West anything that will develop the agricultural possibilities of their great country, while they are asking for experimental farms in the dry belt, the grain belt and every other kind of belt, and while the minister has been generous in meeting these requests, I would ask him to lend an ear to the request which we from the province of Nova Scotia are making, which will result not only in great benefit to the people interested, but in a return to the department that will almost, if not altogether compensate it for the expenditure involved.

Mr. G. TAYLOR. Might I suggest that the minister allow this item for experimental farms to stand over? The hon. member for East Grey (Mr. Sproule) has something to say on this question, and he is not here to-night. We shall have to ask that some one of these items stand over, and I think it will facilitate matters to let this item stand and take up the non-contentious ones.

Mr. D. A. LAFORTUNE. (Montcalm). (Translation.) Mr. Speaker, I cannot forbear the pleasure of making a few remarks on the subject which is now before the House. The hon. gentleman from East Peterborough (Mr. Sexsmith) complained a moment ago of the manner in which the piggery is kept at the experimental farm. I may state to the hon. gentleman that to a certain extent I agree with him on that point; not that I would blame the department or the Minister of Agriculture on that account, but merely to call the latter's attention to the state of things in that connection, and request him, after improving, as he has done, all other departments of the farm, to take up in the near future the improvement of the piggery and deal with it in the same way.

I generally visit the experimental farm at least twice a year, partly through curiosity, and largely on account of the profit to be derived therefrom. The horse stables are very well kept; the horses are very well housed, in quarters which are kept clean and are up-to-date, as they say in English. The cow stable is such as none better could be desired. The cows are kept exceptionally clean, the herd is made up of fine animals, of superb appearance. In short, nothing better than this stable could be desired.

Now, on the day before yesterday, I visited the piggery. I saw there Yorkshires, Berkshires, White Chesters and Tamworths, the latter with a hide red almost beyond imagination. These are very fine animals, of excellent breeds. The only thing to do, in my humble opinion, and in this I agree with the hon. member for East Peterborough, is to improve the buildings, which are not quite such as they should be. As for the stock, nothing better could be desired. However, if I was correctly informed by the men as late as the day before yesterday, it is the intention to rebuild part of the piggery. That is necessary, indeed, and I hope that the minister will include in the estimates the required vote.

The way things are managed at the experimental farm cannot be praised too highly. Those who, like myself, take an interest in agriculture, have observed the great strides which have been made as regards horses, cattle, sheep, poultry, and in a general way the stock kept at the experimental farm. Everything is really fine. It is a pleasure to go around with a view to following as best one can in the footsteps of these people.

Why do we find such prosperity throughout the country, and especially among the farming classes? It is because agricultural lecturers have taught throughout the province how farmers might succeed in increasing their profits and improving everything in connection with their industry. Formerly, we used to send as we now do our apples, our poultry, our eggs, and our cheese across the ocean, but those products reached the English market in bad condition. Owing to the efforts of the Minister of Agriculture, who started refrigeration on a large scale on board ships, those products now reach their destination in as good and fresh a condition as on the day they were shipped. To whom, I ask once more, are we indebted for this: to the minister who has charge of that great department.

Why have we considerably increased the revenue from our farms? It is because we obtained from the experimental farm—thanks to the generosity of the exchequer—specially well selected samples of grain. We sow that grain. From a small initial quantity we gradually obtain larger quantities, and in that way we soon secure crops of first rate quality.

We obtain eggs—I have myself ordered three hatchings of Brahmas—to improve the breeds which we now have. There we find Plymouth Rocks, Wyandots, Spanish, Minorcas, Leghorns and Brahmas. We reap great benefits through the assistance of that farm, and I hope we will be in a position to profit by it more and more from year to year.

Hon. members who preceded me have made certain statements in reference to sheep. In my opinion, a farm without sheep is incomplete. In the case of the province of Quebec—and I pray the minister to bear this in mind—sheep breeding has gone down to a large extent. And why? Because sheep are devoured by dogs. It is to my knowledge that many farmers have given up the sheep business on account of that. Recently I came across a statute of the province of Ontario whereby municipalities are required to constitute a special fund towards compensating farmers to the extent of two-thirds of the loss sustained, whenever the owner of the dog remains unknown. That is most excellent legislation. I have drawn the attention of the Minister of Agriculture of the province of Quebec to that enactment and suggested that he should introduce a similar Act for our province. In a single year my neighbour had fifteen sheep devoured by dogs whose owners could not be found. Once the sheep are strangled it is too late to collar the dogs. If only we know who the

owners are, we might sue them for damages, but these people are never in a hurry to admit their responsibility.

Numbers of my fellow citizens in the province of Quebec have ceased altogether keeping sheep on that account. I suggest that the minister should introduce an Act similar to that in force in Ontario. A tax or license might be exacted in the case of dogs, and the revenue obtained therefrom applied to build up a fund which would enable the municipalities to compensate farmers whose sheep have been strangled. It is admitted by all that the breeding of sheep is highly profitable, insures substantial returns, but as I said, that branch of farming should be protected.

We have learned from the Department of Agriculture how to protect ourselves against insects which prey on orchards and crops. We have learned how to plant and prune trees, hope to shape the head and look after the roots. In a great many cases farmers plant trees which die two or three years after. Why? Because they do not know how to plant them, protect them, feed the root system, shelter them against the wind. A good many even dispensed with the use of props. Well, to-day, thanks to the instructions given by the Department of Agriculture, we know how to plant trees and keep them healthy, and we are no longer obliged to replace them every three or four years.

We have learned how to look after manure and home-made fertilizers, we know the difference between a cold, a warm and a medium manure. We know how to take care of them. Many farmers were in the habit of leaving the manure in a heap all winter long next to the stable door. The best part of it was carried away in the streams, lost along fences and among the stones. To-day farmers look more closely after their own interest and know how to get the most out of farm manures. They know besides where to apply them to the best advantage and are greatly benefited thereby. How have we come to learn these things? Through the Department of Agriculture, and through its staff of lecturers. Why is the county which I have the honour to represent so rich and prosperous? It is on account of its having been looked after as it had the right to expect.

We have learned how to prepare tobacco in a special way, and the county of Montcalm is in a position to compete henceforth with the best producers in the counties of Essex and Rouville. Owing to the establishment of a government experimental station, we are now able to prepare hot beds, to put in the seed, plant the seedlings, look after the young plants, and later on cure the tobacco properly. How is it that we have succeeded from that time on in producing a first-class product? It is because we have had on the spot a Mr. Chevalier, who has been sent from the experimental farm, to teach farmers how to grow tobacco, prepare and deliver it on the markets.

The hon. Minister of Agriculture is a practical man, well acquainted with the details of farming. I remember a time when that department was presided over by a medical man, a man of parts, whom I do not wish to run down, and regarding whom I would not utter an unpleasant word; but one day that he happened to enter a farm yard, he thought fit to congratulate the owner on the fine geese that were about them. 'I beg your pardon, sir, replied the farmer, but they are ducks.' That minister did not know the difference between a goose and a pekin duck. The present minister can tell the difference, having spent his life on the farm as a practical farmer.

I shall not speak any longer. I wished to make these few remarks as a matter of fairness to the hon. minister and to my constitutents. I wish to impress them with the fact that their representative takes some interest in agriculture, has learned something of it, and is in a position to discuss such questions without blushing.

Mr. FISHER. I wish to thank my hon. friend from Montcalm (Mr. Lafortune) for the kind references he has made to my administration of the department and for his appreciation of the success of the work of the experimental farms. I had hoped that we would get through the agriculture items this evening so that the officers might return to the farm, but in deference to the wish of my hon. friend (Mr. Geo. Taylor) who wishes the hon. member for Grey (Mr. Sproule) to be present when we are considering this item, we will pass on to some other thing in the hope that progress will be made.

For the development of the dairying and fruit industries, and the improvement and transportation of, the sale and trade in, food and other agricultural products, $75,000.

Mr. GEO. TAYLOR. There is $10,000 increase here?

Mr. FISHER. This work is expanding all the time. In response to the wishes of the people we shall have to appoint several fruit inspectors in British Columbia and the northwest, another one in Ontario, and another in the maritime provinces. The increase of $10,000 is largely due to this.

Towards the encouragement of the establishment of cold storage warehouses for the better preservation and handling of perishable food products, $56,250.

Mr. GEO. TAYLOR. Was the vote of $75,000 expended last year?

Mr. FISHER. Only $25,000 was spent last fiscal year, but we will have to pay

other sums in connection with new cold storages.

Mr. EDWARDS. How many applications have you had from Ontario?

Mr. FISHER. We have had an application each from Morrisburg, Peterborough, Trenton, St. Marys, Owen Sound, Hamilton, Palmerston.

Mr. PORTER. Is there any advance given to each cold storage before the plant has been completed?

Mr. FISHER. We have never paid anything before it is completed.

Mr. PORTER. Is there any exception to that general statement?

Mr. FISHER. No.

Mr. HERRON. Has there been any application from Alberta for assistance to cold storage?

Mr. FISHER. We had a tentative application two years ago, but the promoter died and nothing was done. I understand they are now organizing to take up the project again.

Mr. HERRON. I understand they were applying to the government for the 30 per cent assistance given under the Act?

Mr. FISHER. There has been no formal application yet.

Mr. EDWARDS. What are the objections to advancing part of the cost as the work of building the plant proceeds?

Mr. FISHER. It would be contrary to the Act, which says that we shall pay the first instalment of 15 per cent on the completion of the work ready for business. It would be objectionable to pay before the plant was completed, because they might never complete it.

Mr. THORNTON. Have the fruit inspectors superintendence of the cold storages?

Mr. FISHER. No.

Mr. THORNTON. I would like to ask if an inspector is allowed to be connected with a factory?

Mr. FISHER. Do you mean a fruit inspector?

Mr. THORNTON. Yes.

Mr. FISHER. Certainly not.

Mr. THORNTON. Complaints have been made to that effect.

Mr. FISHER. If any such complaint is brought to my attention I will see to it at once. The whole time of the fruit inspectors, when they are employed by the government, is given to the work of the government, and if any fruit inspector is himself engaged in packing, it is distinctly contrary to his contract with us.

Mr. THORNTON. Is he allowed to be a member of the firm?

Mr. FISHER. I would not like him to be even a stockholder in a joint stock concern, but he undoubtedly should not be a member of the firm. I would not like to say off-hand that he should not be a stockholder in a joint stock company, although I think even that would be objectionable.

Mr. THORNTON. He would not be allowed to go out and buy apples?

Mr. FISHER. Certainly not. I might say, however, that some of my inspectors are employed temporarily, not for the whole year, and when they are not employed they are at liberty to do as they like. But during their term of employment with the government they certainly cannot deal in or buy fruit.

Mr. THORNTON. A case has been brought to my attention where an inspector was buying apples during the fall months, while he was acting as inspector.

Mr. FISHER. If I could get such information I would certainly cease to employ that man.

Mr. STAPLES. I would like to inquire whether the minister has given any consideration of the representations made to him from the people of Alberta as to the establishment of a cold storage system throughout the west. Mr. Palmer, I think, led the deputation when it was down here a couple of years ago, and I have had communications from him and I presume other members too, asking us to urge upon the minister to take some action along the lines suggested. It is one of the most important questions that could be considered from an agricultural standpoint. We all know the importance of the cattle trade in western Canada, and if the minister would only take hold of this thing seriously, the cattle trade in that part of the country would increase much more than it has done during the past few years. The hon. member for Victoria, (Mr. White) I think, had a resolution on the order paper this year, dealing with this question. Unfortunately it was left to a late period in the session, and was not brought up. I looked forward to a keen debate on that resolution, but things have been jockeyed in such a manner——

Mr. FISHER. Order, order.

Mr. STAPLES. If the minister rises to a point of order—

Mr. FISHER. I do not think the hon. gentleman has a right to talk about the business of the House being jockeyed.

Mr. STAPLES. That is a term I find very often introduced in this House. There is jockeying done practically every day as to who should get the floor, and as to how matters shall come up in the House. If it is not a parliamentary term I shall certainly withdraw it, if the chairman asks me to do so.

Mr. FISHER. I would like to have the ruling of the chairman.

Mr. DEPUTY SPEAKER. I can hardly say I am sufficiently acquainted with the term to rule it out of order, but if the hon. gentleman can find another term that would convey his meaning, it would relieve me. I would not be willing to infer that it meant anything disagreeable or wrong, so far as my knowledge goes, but if the hon. gentleman can modify it, it would relieve me.

Mr. STAPLES. At the moment I cannot think of a word that conveys the same idea. At the same time I am willing to submit to your ruling, Mr. Chairman, and if it is not a proper word to use then I shall withdraw it, but I understand the chairman has not said that it is an improper word, and I presume it will be allowed to stay on the pages of 'Hansard.' This question of cold storage is a very important one in western Canada. It is a system that should have been adopted in this House, and I think it would have been adopted in this House if the resolution of the member for Victoria (Mr. White) had not been placed in a position on the order paper that prevented it from being discussed. For that reason the matter has remained without getting the consideration I think it is entitled to from this House. But it does not excuse the minister by any means. The minister has been aware of the situation for many years, and yet he has been content to patter along behind and has not taken up the position that, as Minister of Agriculture, I think he should. He is too dilatory, he hangs back. He wants to get down to bigger issues, and he forgets not only local conditions, but the conditions of this whole Dominion. We have now almost come to the close of the session, and no action has been taken, but I hope the minister, even at this late period, will take steps to institute such a system throughout the Dominion, and build up the cattle trade and the other important industries of this country. It is most important, because while we are cultivating fruit and other cereals in the west, owing to the fact that we have a very fertile soil, the day is not far distant, in fact it has already arrived in western Canada, when the farmers have to introduce mixed farming. However, I suppose the minister is content to let it drag along without taking action. I simply rise to call the minister's attention to the state of affairs, and I would urge him to take some action and not make it necessary for us to bring the matter to the attention of the House during the next four or five years.

Mr. FISHER. I would be very glad to have a discussion on the question, and to go into it. But when a motion is on the order paper, a discussion at this stage would be out of order.

Mr. W. H. WHITE. I would like to say a word in explanation to the member for Macdonald (Mr Staples) as to why the resolution was not placed earlier on the order paper. It was a resoluton that was passed by the United Farmers and Stock Growers of Alberta. Some time in February they sent a resolution to me and asked me if I would take the matter up. I immediately placed it on the order paper, though it was a little late in the season. Since that time I have written to the minister asking him if he would put in the estimates a sum of money to enable the matter to be investigated and to see whether this project was practicable or not. I had a letter from the minister indicating that he did not have any confidence in it, or in the promoters of this scheme. I may say with regard to the promoters, Mr. Palmer and Mr. Greenstreet, that they are two gentlemen who have had a great deal of experience along that line, I understand, with the people who control the cold storage plant in New Zealand, as well as in Cape Colony. As most of the western members will remember when they visited Ottawa last year, to see the minister, they simply asked for a guarantee of two-thirds of the amount of their bonds . I understand they have already subscribed $500,000 of their own money and they only ask the government to guarantee the bonds. We must ship our cattle five thousand miles to market, and any one who knows anything about cattle knows that at the end of so long a journey cattle do not land in good shape. Therefore, we are getting practically nothing for our light cattle. Last year, light cattle sold throughout the west for from two to three cents per pound. In the spring we got a little more—up to five cents. There is only a small percentage of western cattle that are fit for export, and therefore command a high price. In a letter from the Minister of Agriculture (Mr. Fisher) that hon. gentleman states that there is not enough cattle to keep up a continuous supply. I do not know what he means by a 'continuous supply' or how large a plant he consi-

ders necessary in order to handle the cattle business. But, according to the report sent out by the Agriculture Department in 1908, there was some 180,000 cattle shipped to Winnipeg, some for export, and some for local consumption. The condition in the west is simply this: In Alberta, there is a great deal of waste land, for that province is not all wheat land like Saskatchewan and Manitoba. We have a lot of hay land, and other land not fit for farming. Therefore, the cattle industry is important to the people of Alberta as is wheat or any other grain. But, unless we have something like this proposition of Mr. Palmer to handle our light beef, we must go out of the cattle businesss. Last year, some 4,000 cows—breeding stock—were shipped out of the Victoria district alone. The farmers are going out of the business because they find it not profitable to carry it on.

Mr. BLAIN. Where were they sent to?

Mr. W. H. WHITE. Some were sent here to the east, but many were disposed of in the west. A considerable quantity of this cow beef went to the railway camps of the Canadian Pacific, Grand Trunk Pacific and Canadian Northern. Ten or fifteen years ago, when there was more vacant land and the cattle were allowed to roam, beef could be raised a great deal more cheaply than at present. At one time, we could grow beef profitably for three cents per pound. To-day, we have to pay as high as $10 to $20 an acre for land for grazing our cattle. Therefore, we must have a higher average price for our beef, and until we have some way of handling the lighter beef, shipping it out chilled, or something of that kind, it will be impossible to continue the business. Of course, the export business will go on as usual, but this project would give us a market for our small and light beef. I wish to be clear on this matter. Some hon. members may have thought, as the hon. member for Macdonald (Mr. Staples) did, that I was not very anxious to bring this matter forward.

Mr. STAPLES. I believe you were.

Mr. W. H. WHITE. I have been in the cattle business for many years, and have been forced out of the business for the reasons I have stated here that there is no way to handle the smaller or lighter cattle. To show the importance of this matter, I may state that the resolution to which I have reference was passed by every branch of the united farmers of Alberta, as well as by the stock growers. This body has over 5,000 members, and in their letter to me they claim that they represent nearly half a million head of cattle. So, I think the matter is important enough for the minister to consider it seriously, and to spend a reasonable amount of money to try and get this business established.

Mr. HERRON. The situation of the cattle business in the west has been well explained by my hon. friend from Victoria (Mr. W. H. White). The whole province of Alberta was a cattle country a few years ago, but it is falling off so rapidly that, if it continues, in a short time we should have to import beef for our own consumption. We believe there is no salvation for that western country from a state of depression in the live stock trade except through the suggestion that has been made—that the government should take up the establishment of cold storage for the purpose of chilling beef for the export trade. It has already been explained that because of the distance of the British market our beef will not land there in proper condition to kill. Still, we are in a more favourable position than the countries that supply the bulk of the meat, including pork, beef and mutton, to the British market. The meat that goes from New Zealand and Australia must be frozen, making it worth only half as much as fresh meat. On the other hand, I understand the chilled meat is worth practically as much as fresh. If we had means to chill our beef it would enable us to land it in England in a condition to command a good price. There is no way by which our farmers can continue much longer in the business in which they have been engaged except by affording them a substantial market. The ordinary farmer of our portion of the country—the same condition exists all over the province—brings his hogs to market generally in the fall of the year, and as soon as the full supply comes in, the market being only local, the price drops even below the cost of production. And almost the same is true of beef. We cannot ship it profitably in the live state, and we have no means of shipping it in any other form. There can be no profit in the business unless the country will advance the money to establish such a system as has been proposed. I think the idea is worthy of the attention of the Minister of Agriculture and the government. I admit that it will cost a good deal of money—a great deal more, I think, than the minister is prepared to expend at the present time. I think it might go to several millions. If they were to guarantee the bonds as has been suggested to two-thirds of the amount required—and as my hon. friend suggests it would be only for the time being as the business would pay for itself—it would undoubtedly be a great benefit to the western country, because we have there the conditions under which beef and pork can be produced cheaper than in any other part of Canada. We have the climate, and a great deal of open land where beef and hogs

can be produced cheaply. These things all go towards producing a meat product cheap. This is a very serious matter, and I think the minister should undertake a large scheme of that kind, not go into it in the little pleasant way we are doing from year to year, contributing towards some private enterprise some few dollars after a plant has been constructed and in operation. The government should take that matter up, and I do not think the minister should wait until these conditions arise. He and his officers should ascertain what is needed for the agricultural industry of the country and he should have his share out of the treasury to advance the interests of agriculture. We spend money on every other department and what is left is what the minister gets. The minister, with his officers, should make an estimate of what is required, and as agriculture is the leading industry of the country, it should come first in the estimates. Instead of spending $400,000 or $500,000 or $900,000 as we are doing to-day, we should not be afraid to spend as many millions if necessary to advance the general interests of this industry, because when agriculture is down in Canada every other industry is down. It is the first and leading industry, it is the backbone of the country, and no industry is prosperous when the farmers are not prosperous. It should come in for first consideration from the minister.

Mr. FISHER. The problem as put forward in several representations that have been made to me was so large and so doubtful of success that I confess I could not see my way to take it up seriously. It is, however, a very big and important question, and I shall certainly take pains to make inquiry and what investigations we can through the officers of the department in regard to it.

Mr. MEIGHEN. It is true that a resolution is on the order paper dealing with the same topic, and that to some extent would rule out the present discussion, but in view of the fact that it is impossible to take that up this session, and that the undertaking contemplated in the question is so transcendently important, it seems to me the discussion should proceed further, at all events until we get some more explicit statement of policy from the Minister of Agriculture. I need not emphasize, nor could I if I wished, the importance of the proposed undertaking of establishing a chilled meat industry more than has been done by the speakers who have preceded me. I would only refer to this fact, that while the exportation of cattle and the facility of that exportation, are topics which it is supposed more directly concern cattlemen and rangers throughout western Canada, none the less they have to do in just as important a manner with the general farming industry of the whole of Canada. In Manitoba the cattle industry is marching very rapidly to extinction. Where they had ten cattle ten years ago, they have one to-day. The cattle are going out of existence. Why? Simply because it has been impossible under existing transport conditions to make them pay. The result of that, as the Minister of Agriculture, being such a practical farmer, well knows, is that the land values and the land production are affected in much the same degree. It is impossible even in a grain country to keep up the average production of grain without having cattle on the land. As a result, even in our province which is practically a grain province, the amount of land given to summer fallow has to be increased each year because there are no cattle there to keep up the fertility of the soil. The same thing will take place throughout the west. It becomes more and more important the farther west one goes. As the hon. member for Victoria (Mr. Hughes) has well pointed out, the cattle industry in Alberta and Saskatchewan, Alberta particularly, is just as important as and should be more important than the grain industry. I understand that the proposal put to the government very fully and explicitly was along the lines of the formation of a chilled meat exportation company, operating on the same principle as the Pullman Company with a capitalization of $2,000,000, of which the promoters subscribe in cash $500,000, the balance to be guaranteed by the government in the form of four per cent debentures. I, of course, will not say that the proposal as put to the government should have been accepted, but I will say that it presents some very good features, features that should have prevented it from being stigmatized by the minister as unworthy of consideration. I may be wrong in my details, but from what I have read, the company put up $500,000, the remainder to be guaranteed by the government, and the guarantee to be secured by a first mortgage on all the assets of the company. That would give a margin of 25 per cent against loss on the guarantee, and at the same time, by a proper system of supervision, the government could see that all the money produced by the guarantee was expended on plant and works, and consequently that there would be assets to answer for every dollar of guarantee. Consequently it bears on its face the aspect of bona fides, there seems to be no juggling about it. The first loss would fall on the promoters. I know nothing as to Mr. Palmer; the hon. member for Victoria (Mr. Hughes) appears to know something of his history and his success, but at all events if the government are not disposed to accept the proposition that has been put down, they should either

undertake this work as a government undertaking or invite propositions of a different character. The minister, I understand, has taken the ground, although not in the House, that there is not sufficient production at the present time to warrant such an expenditure as would make adequate a system for the transportation of chilled meats. That may be true, but the minister must realize that it only requires the expenditure, and that the system would follow the guarantee and the business would follow in its wake. It is simply because cattle cannot be made to pay in that part of the country, where they should of all places pay, that there is not now the foundation for this industry. In eastern Canada, the market for the cattle is largely local. In western Canada that is not, and that cannot be the case. The market must be an export market and must be an adequate market if there is to be cattle industry. I think the minister should not be too much impressed by the present cattle situation in the west as not warranting the expenditure which would be necessary for this system. I do not purpose going further, but I would urge the minister, in justice to the House and in justice to the western members who are particularly interested in this question, that he do not dismiss it so briefly, as he seems disposed to do at the present time, but that he state to us—and it will be of use to use in future discussions—what specific objection he finds as a representative of the government to the proposals already made, what he considers defective or faulty in these proposals, and that he indicate to the House along what general lines he is prepared to go, because I may say once and for all, that certain, at all events, of the western members are determined to see that action, not too remote, is taken along this line.

Mr. FISHER. All I can say to my hon. friend is that without having my notes and without having the proposition before me, I could not undertake to discuss it. If the motion had been reached I would have been prepared to go into the matter. I have not all the information here, and I could not possibly answer the question that my hon. friend has put to me.

'Patent Record,' $17,000.

Mr. GEO. TAYLOR. Is this the same amount as last year?

Mr. FISHER. Yes.

Mr. ARMSTRONG. I would like to ask the minister whether he has taken into consideration the appointment of a deputy Minister of Agriculture. If he will look back to the year 1903, when his attention was called to the fact that he had then appointed a deputy minister, he will find that he made the statement that as far as the present deputy minister was concerned he did not expect that he would be looked upon as deputy Minister of Agriculture. I wish to read the minister's own words to show that such was the case. In reply to my hon. friend from Halton (Mr. Henderson) he made use of this language, as will be found on page 4356, 'Hansard,' 1903:

> My hon. friend (Mr. Henderson), of course, must be constitutionally blind to the appearance of anybody having a seat on the floor who is not a member of this House. I can tell the hon. member that the deputy Minister of Agriculture now is Mr. George F. O'Halloran, and that he was appointed within the last year to succeed the late deputy, Mr. W. B. Scarth. Mr. O'Halloran is a lawyer by profession and has been practising for many years, first of all in the eastern townships where he was born and brought up, and afterwards in the city of Montreal. He is a lawyer of repute and standing, and is specially competent, I believe, and my colleagues believe with me to deal with these matters connected with the Department of Agriculture which are not entirely agricultural in their nature. There are not only the agricultural branches but a number of other branches such as patents, trade marks, designs, copyrights, statistics and various other things. The mainly agricultural matters in the department are chiefly in the hands of experts. Dr. Saunders, the director of the experimental farm, Prof. Robertson, in the dairying and agricultural branch, Dr. Rutherford in the veterinary branch, and Dr. Montizambert in the quarantine branch deal with the matters affecting these branches. The deputy minister has the supervision as depuity minister of these branches, but has nothing to do with what I might call the technical or expert carrying on of the branches. The other branches I have alluded to do require the superintendence of the deputy minister directly and personally, and therefore this gentleman was chosen particularly to look after these branches.

That is, Mr. Chairman, that the present deputy head of this department was supposed to look particularly after the census and statistics branch, a branch that is increasing in volume and duties, and which must continue to increase, and if so, it certainly is high time, in view of the many complaints that have been made about the Department of Agriculture, that the minister give his attention to this subect. There have been constant complaints. I saw only recently that one of the papers was advertising and offering a prize of $10 for the best essay showing what the present Minister of Agriculture has done for agriculture. I am not casting any reflections upon the deputy minister as a man. In an agricultural country such as we have here, it is certainly time we took this matter into our serious consideration, and that the minister got to work and revolutionized his department along progressive lines. He can, perhaps, tell us

why he has not taken any action in this regard since 1903?

Mr. FISHER. I do not think I can add very much to what I said in 1903. The different branches of the department are in charge of experts, each of whom deals with his own particular branch. The deputy minister is the business administrator and supervisor of them all. They come to him and report, as they would come to the minister, and he deals with them on the reports of the experts. There are other branches in his department which are not technical in their character, and the deputy minister deals with and administers them. I do not think that agriculture has in any way suffered, but, on the contrary, I think it has been successfully carried on and aided by the department and the administration of the present deputy minister. The hon. gentleman has referred to some newspaper paragraph and has stated that a reward has been offered, but we do not know whether that award has been made. I have heard something of it, but I have not heard yet whether the essay has been sent in.

Census and statistics, $50,000.

Mr. GEO. TAYLOR. This increase is due to the preparation of the census?

Mr. FISHER. Yes. The increase is almost entirely due to the printing of the schedules and getting ready for the census next year.

Mr. J. D. REID. When do you commence the census?

Mr. FISHER. In June, 1911.

Mr. DANIEL. How long does it take to get the population of the whole Dominion?

Mr. FISHER. That would depend on the force of clerks that we put on. Heretofore it has taken in the neighbourhood of five years for the whole compilation—not just the compilation of the numbers of people; that can be done in six months and perhaps less. But. I hope to force on the compilation of this coming census. The last census and the last before that took fully five years. When I came into office in 1896 there were some census clerks still compiling. I would like to have this work done in three years.

Mr. DANIEL. I want to know how long it really takes to get the numbers of people, not to have the compilation made. Is the census of the people taken in one day in the whole Dominion?

Mr. FISHER. No.

Mr. DANIEL. In how many days?

Mr. FISHER. In this country we adopt what is called the de jure census, and not the de facto census. The census is taken as on a specified day, but the census enumerator frequently does not reach the individuals all over the country for perhaps a week or three weeks after that day has passed, and he takes down the people that were present on that day in the neighbourhood. Last census the enumeration took less than three weeks, and the census before it took six weeks; this year I should think it would take in the neighbourhood of a month from the time the census commences until the enumeration is complete.

Mr. J. D. REID. Last census they classified shoemakers, and tailors, and blacksmiths as manufacturers.

Mr. FISHER. That was the census before. Last census no one was classed as a manufacturer who employed less than five hands working in his establishment.

Mr. J. D. REID. Will that be done this census?

Mr. FISHER. Yes.

Mr. J. D. REID. Then, every tailor in every town will be put down as a manufacturer?

Mr. FISHER. Not if he sends out shop work, or work outside. The five hands must work on the premises.

Mr. J. D. REID. How are we going to tell how many manufacturers there are in the Dominion if you class as a manufacturer, a tailor or a blacksmith who has four or five employees? I should think that manufactories were establishments that turned out articles for consumers as compared with retail establishments?

Mr. FISHER. The restriction with reference to the five employees is the restriction in use in the United States. My understanding is that any employer engaged in the producing industry who has five employes on his premises is classed as a manufacturer.

Mr. J. D. REID. That would include a blacksmith?

Mr. HUGHES. Why shouldn't it?

Mr. EDWARDS. Inasmuch as farming is a producing industry I suppose that a farmer who employs four or five hands would be a manufacturer?

Mr. FISHER. No.

Mr. J. D. REID. Why should he not as well as the blacksmith?

Mr. FISHER. Because the farmer is in a class by himself.

Mr. BLAIN. What will the taking of the census cost?

Mr. FISHER. I have not yet undertaken to make an estimate.

Mr. HUGHES. There are living and working in the United States a number of former inhabitants of Nova Scotia, New Brunswick and Quebec, and I wish to know from the minister if they would be counted in the next census? Last election a number of these gentlemen were brought in special trains and chartered steamboats from New England centres back to their homes in Canada for the purpose of voting. I understand that under the franchise law in some of these provinces they could come back and vote although they had been living and earning money in a foreign country. Are people of this class going to be included in the next census enumeration?

Mr. FISHER. The man who returns only to vote would not be counted in the census enumeration.

Mr. HUGHES. I understand they are.

Mr. FISHER. Not in the last census.

Mr. HUGHES. If the minister examines the schedules for any parish he will find name after name of those who had been living in the United States and who were still classified as members of the family in Canada.

Mr. FISHER. If that were done it is contrary to the instructions given to the enumerators.

Mr. J. D. REID. Last census the enumerators were paid so much per name, and it was to their interest to put the whole family in whether certain members of it lived in the United States or not.

Mr. FISHER. That would be contrary to instructions.

Mr. J. D. REID. From the experience we have had of the appointees of the Minister of Agriculture we know they are not reliable.

Mr. FISHER. Oh, not at all.

Mr. HENDERSON. If a farmer is not to be classed as a manufacturer, would the minister say that a man who produces lime is a manufacturer?

Mr. FISHER. I have not got the details of the census enumeration to-night and the item may stand until I get that information.

Mr. HUGHES. I know a man in a small town who employs quite a number of hands, and who does a business of $32,000 a year, why should he not be classed as a manufacturer?

Mr. FISHER. He would be under the regulations.

Mr. PORTER. Does the enumerator take an oath before entering on his office that he shall discharge his duties faithfully?

Mr. FISHER. Certainly.

Mr. DANIEL. Are the census enumerators allowed to enumerate persons who are not at the time in Canada?

Mr. FISHER. The question will be asked whether the people are away on a visit or permanently, and the enumerator will act according to the answer.

Mr. CROCKET. Does the head of the family sign a statement?

Mr. FISHER. No.

Mr. CROCKET. The enumerator makes his return on the viva voce statement of the head of a family?

Mr. FISHER. Yes.

Mr. ARMSTRONG. Is the census to be taken by the same method as the last census? Has the minister considered the way in which the census is taken in other countries, whereby post office officials and I believe policemen in cities have been got to assist, thus reducing the cost?

Mr. FISHER. The system in Canada has always been that of direct enumeration, not estimate. The only people employed are the enumerators, whose duty it is to go to every individual in the respective areas, though they get information to assist them in their work from such officers as my hon. friend mentions.

Mr. BLAIN. The minister will remember that the census of 1901 cost the people of Canada double what the two preceding censuses cost. I hope that in getting ready to take another census, he will keep economy in view.

Mr. FISHER. Yes.

Mr. BLAIN. May I ask my hon. friend if he is receiving applications yet for enumerators?

Mr. FISHER. Oh, yes, lots of them.

Mr. BLAIN. I would assume that, because I see that in some parts of Canada they are commencing to redistribute the seats.

Mr. FISHER. I have not heard of that.

Mr. BLAIN. From whom are the applications coming?

Mr. FISHER. I cannot tell—from anybody and everywhere.

Mr. BLAIN. On whose recommendation—

Mr. FISHER. I have not asked for any recommendations. I have not yet reached the stage to make any appointment.

Mr. BLAIN. I am assuming that my hon. friend has a policy. May I ask him on

whose recommendation these enumerators will be appointed?

Mr. FISHER. Some reputable person who can speak for them.

Mr. BLAIN. The last time I understood that it was the general patronage list, and I assume that there will be no change in that respect.

Mr. FISHER. We have not got a patronage list.

Mr. J. D. REID. Take my own county—there is no patronage list there.

Mr. FISHER. My hon. friend has one, I suppose.

Mr. J. D. REID. Will the minister receive recommendations from me?

Mr. FISHER. Oh, yes.

Mr. J. D. REID. Will he carry them out?

Mr. FISHER. I cannot say that.

Mr. J. D. REID. As I represent the majority of the people in my constituency, I think my recommendation should be taken before that of anybody who does not represent the people.

Mr. FISHER. That is a very good reason.

Mr. J. D. REID. Will the hon. minister agree to accept the recommendation of every member of this House?

Mr. FISHER. I could not make any promise; it would not do.

Printing and distributing reports and bulletins of farms, $10,000.

Mr. J. D. REID. I have never seen anything about the chicken industry in this report.

Mr. FISHER. If my hon. friend will read the report, he will find it all there.

Mr. HENDERSON. May I ask the minister how he obtains the list of those to whom these bulletins are sent? Has he an up-to-date list?

Mr. FISHER. Anybody who applies is put on the list. The names of people who have moved away, people who are dead, or people who do not care to take out their bulletins after a time, are removed from the list. I am trying now to devise a system for a regular revision of the list. There is an alphabetical list at the farms, the dairy branch, the live stock branch and the seed branch. This is a special list of men who want bulletins or information on any particular subject. The regular list comprises between 70,000 and 80,000 names.

Mr. G. TAYLOR. If the names of all members of farmers' institutes throughout the country are sent in, will they each receive a bulletin?

Mr. FISHER. Yes, the name sent in of anybody.

Mr. J. D. REID. Is the minister willing to send these bulletins to any farmer who requires them?

Mr. FISHER. Yes.

Mr. J. D. REID. Then if I send in my voters' list, will they be sent to all the farmers of my county?

Mr. FISHER. If any farmer makes application, or if my hon. friend makes an application on behalf of any farmer, the bulletins will be sent to him. I would ask my hon. friends not to load up the list with the names of people who would not take an interest in the literature and would not read it. Occasionally I have had bundles of these things sent back from the post offices because names have been put on the lists of people who did not take an interest in them and they would have been wasted if the postmasters had not taken the trouble to send them back to us. I propose to make an arrangement by which we can keep in constant touch with the postmasters all over the country. I will ask the postmasters to let us know if the things being sent out are not being taken out of the offices. I think it would be unfortunate and very extravagant to send literature of this very valuable character to people who would not take it out of the post offices and read it. To anybody who wants to have it sent, and who is prepared to read it we are very glad to send a supply.

Mr. J. D. REID. There might be a farmer with two or three sons. I am sure the farmers would be very interested if they could get the literature. If I sent the hon. minister a list of the farmers in my constituency, who I know would take an interest in these bulletins would he send them?

Mr. FISHER. Certainly. If the hon. member will send a list with the names of people who he is satisfied will read them.

Mr. HUGHES. With regard to those papers being returned, I might say that there is a postal law that a paper taken out of the office must be paid for.

Mr. FISHER. These things go free.

Mr. HUGHES. Yes, but that is not the point. A great many of the farmers have been caught in that way, and I think that is the reason why they are chary about taking those papers out. In many cases they do not know that the papers are sent by the department free, and when they find them sent regularly, they think they will be stuck for the price later on.

Mr. FISHER. I would like hon. members to notify me of the names of people

to whom they would like the literature to be sent, and who they think will read it when they get it.

Mr. HENDERSON. I remember some five or six years ago, I saw the list. I think it was referred to me for correction. I made up my mind at that time that I would make a selection. There were so many names of dead men and removals on the list. I think a list required for men in a rural district should be revised once a year.

Mr. FISHER. That is quite true.

Mr. HENDERSON. There is another point, and I will tell the hon. minister my own practice. Some system should be devised so that the literature could be sent to particular sections where the bulletins would be of special interest. Now, the front part of my county is entirely an orchard where apples and small fruits are grown, and I would not think of sending to my constituents in that part bulletins of evidence taken before the Agriculture Committee relating to some other subject, say tobacco. I select my bulletins and evidence very carefully. The other day the minister was good enough to send me a lot of bulletins with reference to apple packing, and I shall see that these go into the districts where they will be useful, and then I shall send the evidence of Dr. Saunders and Charles Saunders, and other men who spoke before the committee to other sections of the county where the people are interested in matters of other kinds. Now could not the minister not devise some plan by which he could exercise economy in the distribution of these bulletins? I do not know that it could be done better than by having reference to the member for the county who is familiar with the character of the district and with the occupations. I question whether there is another county that have received such large heaps of literature as my county this year. I go to a city member who, I know does not want those bulletins, and ask him to let me have them; members like the hon. Mr. Foster, and Mr. Bristol have kindly allowed me to take their bulletins, and distribute them.

Mr. JAMESON. I could give you a few.

Mr. HENDERSON. I would be very happy to have a few more for my county.

Mr. FISHER. I would say to my hon. friend that we have special lists. We have a list of fruit growers to whom fruit bulletins are sent; a list of sheep men to whom bulletins in sheep culture are sent; a special list of seed growers to whom bulletins on seed growing and that sort of thing are sent. If everybody exercised the care shown by hon. friend (Mr. Henderson) we would get along very well. I would bespeak hon. gentlemen's assistance in that direction.

Mr. BLAIN. I wish to say that I think the department is very careful on this point and very helpful. I do not often commend my hon. friend in this department, but I have had occasion to send in a great many names during the years I have been in the House, and the department have given them very careful attention. The farmers of my county appreciate the promptness, and thoroughness of the department in that respect very much, and I want to compliment the government and the minister. In my opinion these bulletins are of great value, and to the department is due a great deal of credit for the splendid work it is doing along this line.

Fumigation stations, $5,000.

Mr. FISHER. This is the same vote for carrying on that work.

For renewing and improving Canadian Exhibit and Implement Institute, London, and assisting in the maintenance thereof, $8,000.

Mr. GEO. TAYLOR. That is the annual vote?

Mr. FISHER. That is the usual vote.

To encourage the production and sale of Canadian tobacco, $5,000.

Mr. GEO. TAYLOR. The same vote as last year?

Mr. HENDERSON. The minister nods to me as if I were objecting. I am not objecting to it at all. I only want to see the tobacco properly cured, so as to suit my own taste, and not the taste of people in the minister's county. If you do that you will add millions to the revenue, for what is my taste is the taste of the great majority of the people.

Mr. DANIEL. Can the minister give us any information as to whether there has been any improvement in the flavour of the tobacco, of Canadian grown tobacco? Has there been any improvement in the way of removing the bad odour that obtains in Canadian tobacco. Does it find more favour with the manufacturers and users?

Mr. FISHER. Certainly, the manufacturers use it very much more. During the last year or so, there has been a ready sale of all the tobacco produced in Canada.

Mr. DANIEL. It appears to me to make a milder tobacco, one that does not burn the tongue to the same extent as these other tobaccos, and so far as my experience goes, I must say it is rather favourable.

Mr. FISHER. I think that is the general experience.

Mr. DANIEL. I thought I would like to know whether that was the general ex-

perience, and whether Canadian tobacco was being received more favourably by the people, and whether it was being cured better.

Mr. FISHER. I think so.

Mr. DANIEL. And is the area of growth extending?

Mr. FISHER. Not so rapidly as the quality is improving. There is an increase of the culture in some localities. The growth of tobacco in Canada is mostly confined to the counties of Montcalm and Rouville in Quebec, with adjacent neighbourhoods, and the county of Essex in the province of Ontario and part of British Columbia. The crop is a variable one—sometimes larger and sometimes smaller. I could not give my hon. friend (Mr. Daniel) the statistics. But the people have taken much more interest in it and much more care in the management and cure of it, and they get more money for their crop.

D. A. LAFORTUNE. (Translation). Mr. Chairman, in connection with this vote 56 and the encouragement to be given to the growth of the Canadian tobacco, I wish to point out to the hon. members that there is in my constituency an association called the 'Association de plantation de tabac,' which comprises the counties of Berthier, Joliette, L'Assomption and Montcalm.

The growth of tobacco has received more care and precaution for some years. Its quality has been considerably improved, and the manufacturers have accordingly bought the whole crop in the county of Montcalm at a very good price.

The manufacturers who were not in the habit of using Canadian tobacco use it now to a very great extent and the farmers are much benefited by it.

I want, Mr. Minister, to draw your attention to a fact which interests greatly those four counties. I wish the Department of Agriculture should vote something to encourage this association of planters. There is every year an exhibition for these four counties, and the farmers take an interest in it in bringing them some exhibits of tobacco. Prizes are given in order to encourage them and to induce to better the quality of their produces. If the department should give something to those four counties to encourage them to make further progress and greater sacrifices, it would certainly have the effect of improving the quality of the tobacco, and it would be only justice for them.

I wish to point out to the minister that instead of knocking at his doors, instead of asking him to aid them every year, as is done by the counties, it might be better for him to put a small vote in the estimates, which would be a great benefit to those four counties, it might result in great improvement.

There are some counties that are now exclusively engaged in the production of tobacco, such as the counties of Rouville and Napierville which compete with the northern counties. That competition is good, and there is good work done; and our farmers need their share in the protection of the department, if they are to engage in that work more seriously and more carefully. If the minister could do something in those lines, great credit would be due to him.

Mr. FISHER. With the permission of my hon. friend (Mr. Lafortune), I will answer in English, as being more convenient. I appreciate the importance of the reasons which have led him to request that the government should give assistance to the planters in his neighbourhood in the way of a bonus or subvention. But that is a suggestion that is fraught with great difficulty. The matter of assistance to agricultural associations and societies has always been left to the provincial government. If the Dominion government were to begin assisting such associations, we should be fairly open to requests from all over the Dominion, and I am afraid that the sum total would be very great, although the assistance to any one association would be trifling. Under these circumstances, it is difficult to accede to such a request. But my hon. friend knows that already the government, through the Department of Agriculture, has done a great deal to encourage the growing of tobacco by helping to improve the maturing and curing of it, with the result, as the hon. member himself has said, of great improvements within the last few years.

Mr. BLAIN. The minister voted in favour of a Bill to prohibit the manufacture, importation and sale of cigarettes. How does he reconcile it with his conscience to vote for legislation of this kind—to promote the growth of tobacco in Canada?

Mr. FISHER. While I object to smoking, chewing, or anything of that kind, while I do not do any of those things myself, and think it would be much better if nobody else did, still, if tobacco is to be used, I think the better the tobacco that is used the better.

Mr. JAMESON. What is the government doing under this vote for encouraging the production and sale of Canadian tobacco?

Mr. FISHER. We are carrying on experiments in the different varieties of tobacco which seem to be suitable to the soil and climate of Canada. We are experimenting also in the curing of tobacco

to see how it can best be handled and managed to bring it to the needs of the market. We have an expert who came out from France, who had been engaged for many years in the department of tobacco in the French government. This gentleman has made a great success of his work in Canada, and is still carrying it on with vigour.

Mr. JAMESON. I do not use Canadian tobacco myself, but I understand that it is milder than others. But it is open to the objection that it smells a 'mile a minute.' If that could be overcome, the demand could be greatly increased.

Mr. FISHER. That is being overcome very rapidly.

For experiment in cold storage for fruit, $7,000.

Mr. SEXSMITH. What success had the minister with this work last year?

Mr. FISHER. We are not able to carry out one part of the work we had intended, that was to run a cold storage building in the western part of Ontario. We had hoped to be able to do so, and to deal with it in that way. We were, however, able to get fruit and keep it under different conditions and circumstances so as to test the best ways of doing it and to dispose of the fruit at different periods of the year, and see what condition it was in and how it met the needs of the market, and what the cost would be at different periods.

Mr. ARMSTRONG. Where were the experiments carried on?

Mr. FISHER. A considerable number of boxes were put into cold storage at London in the Cold Storage Company's warehouse there, some in Montreal, some in St. John, New Brunswick, and some in a frost proof but not cold storage building at Ottawa to compare the results when kept in good cold but not refrigerator storage.

Mr. SEXSMITH. The government did not undertake to build any cold storage?

Mr. FISHER. No, we paid the usual rates for storage to these companies, just as any one else would.

Mr. SEXSMITH. In some localities where they have the co-operative societies to ship fruit, the government might furnish cold storage.

Mr. FISHER. The original intention was to join with one of these associations in western Ontario and engage a cold storage they were proposing to put up for that purpose, but they did not succeed in putting it up and we had to take the other method.

Mr. FISHER.

Mr. SEXSMITH. But the minister had an item sufficient to help them to carry on the industry. It would perhaps be wise on the part of the government to build a cold storage as an experiment in one of these places.

Mr. FISHER. We expect to be able to carry out the original plan this year.

Mr. PORTER. The minister mentioned some time ago an application from a cold storage company at Trenton for the amount allowed under the Act. They have a plant there that has already cost them about $26,000, a magnificent plant built of stone and very large. They are now undertaking to put in the cold storage apparatus, whatever is required under the Act. The capital of the men is pretty largely exhausted, and I would like the minister to say whether there is any possible way by which an advance of a proportion of the amount allowed by the Act could be made to the company to assist them in putting in the cold storage apparatus. They are desirous of doing this at once, but owing to the state of their finances it will be rather difficult for them to do so, and in that section where there is so much fruit and where cold storage would be of such great advantage, it would appear to me that if some way could be devised to assist that plant it would be a very good thing to do.

Mr. FISHER. Under the Act it is impossible for us to make an advance. It is possible that the firm mentioned might be able to get an advance from the bank, giving an order on us for the bonus when it was due. We would accept such an order as that.

Mr. PORTER. That would help them very materially. They called my attention to the matter and wondered if the department could do that.

Mr. FISHER. We would do that.

Grants to Dominion exhibition, $37,500.

Mr. STAPLES. Could the minister inform me what decision the government has come to in reference to the request of the delegation that has twice visited the Prime Minister in connection with the exhibition it is proposed to hold in Winnipeg in 1912. The question is a big question, possibly too big for the Minister of Agriculture. I have been accusing him of not being courageous enough to take hold of a big question that would work out to the greatest advantage of this Dominion. The minister knows the facts. He will remember that when the delegation first interviewed the Prime Minister he told them that he thought they had not presented their case in the proper form, that they should have presented it in the form of a memorial, and he suggested that if they did so he would give it his

sincere and most sympathetic consideration. As I understood from that delegation, he led them to believe that if they could show that it would be a financial success there was no doubt in his mind that the government would meet the demands to carry it to a successful issue. Later on they presented it in the form suggested. They also sent delegates to all places where such exhibitions had been held, and they presented the facts showing beyond a doubt that it would be no experiment and no great adventure on the part of this government to carry out the proposition set before them. They laid before the Prime Minister and his colleagues the whole proposition. I would like to know whether or not the government have any intention to accede to the demands of the delegation. There is no question about the financial success, and no doubt that the exhibition would be the greatest possible advertisement for Canada, not only from the agricultural point of view, but also from a commercial or manufacturing standpoint, and I would ask if the Prime Minister and the minister have intimated to their colleagues what they purpose doing or whether they are satisfied to have allowed this organization in Winnipeg, composed of the most reputable men, men of the greatest financial strength in our city, men whose statements as to their opinions as to the success of the undertaking can be accepted without a doubt. I hope the Minister of Agriculture, whose duty I believe it is more than any other minister of the government to try and advance such an exhibition, will not sit back quietly for four or five years before he wakes up to the necessity of having such an exhibition in Canada. Other countries have undertaken it and made a success of it. There is no doubt that with the experience of other countries and with the men who are behind this undertaking, it can be made a thorough success. If 500,000 people visited that exhibition and only spent $50 each, which, in my opinion, is not one-third of what they would spend on the average, it would mean that it would put in circulation over $25,000,000. This is a question that the minister, if he is as big a man as he tried to make us believe in his three hours' speech the other day, should take hold of it. I hope the minister will tell us what he purposes doing.

Mr. FISHER. I did not happen to be present when the Prime Minister met the last delegation. I was present when he met the former one some time ago. This is a project with which I have the greatest sympathy personally. I think it is one that may be fraught with greatest advantage to Canada. I understood that it was postponed until 1913 from 1912, but that is not a matter of very great consequence.

Mr. STAPLES. I think it is the intention of the organization to let the matter stand until such time as this government will try and accede to the demands that were made of the government in a definite way.

Mr. FISHER. Of course, it is not for me to say or advise, but if the exhibition is to be what these gentlemen want to have it, and what I sincerely would want to have, I do not believe it can be got ready for 1912. An exhibition of that character requires very great organization and preparation, and I think it would be necessary probably to postpone it until 1913 to accomplish that which everybody in Canada would like to have. I have personally very great sympathy with the project. I think the ideas behind it are somewhat large and that the western people would have to bear a larger share of the expenditure themselves than they now talk of, but my sympathy would be very great with a proposition to give them very substantial assistance from the Dominion government, and I think that would meet with the concurrence of people all over Canada, without respect to the city in which this exhibition is going to be held. We have a country and a western development that I think we might be proud to show to the world and to invite everybody in the world to come and see, and that will be increasingly the case between now and 1912 or 1913. I have no doubt that when it is organized and arranged Canada would present such a magnificent display as would charm, enchant and attract everybody that came to see it, and that instead of a modest estimate of 500,000 people there would be over a million people who would come to see it. I would be very much disappointed if there were not. I cannot speak for the government, they not having come to any conclusion or decision. It is a matter that is under consideration. I have heard the Prime Minister speak of it once or twice, but I cannot give any information with regard to it. I am quite sure that for its proper preparation it would have to be postponed until 1913, and that if the people of the west would take hold of it I think it would be wise for the Dominion parliament to vote a very handsome subscription to it.

Mr. STAPLES. I suppose the minister is aware of the fact that the persons who have undertaken the organization of this exhibition have already expended of their own money about $25,000. It seems to be a hardship on the people who have been so enterprising as to spend that amount of money that they should be stood off indefinitely with such remarks as those which the minister has just made. He

is very hopeful that this grant would be made, but I believe that if he would go after the Prime Minister and his colleagues he could work it up in a great deal shorter time and more effectively than what he thinks.

Mr. FISHER. I am too slow, you know.

Mr. STAPLES. The minister says he is too slow.

Mr. FISHER. That is what my hon. friend thinks.

Mr. STAPLES. I am led to think so on a question of this kind. If he would show a little determination on these lines he would raise himself in my admiration as Minister of Agriculture. We were told from the other side of the House that he is the most courageous minister in the government. I suggest that the minister show a little of his courage in reference to this undertaking.

Mr. SCHAFFNER. Could the minister give us the number that attended the Seattle exhibition last year?

Mr. FISHER. I think over a million.

Mr. D. A. LAFORTUNE (Motcalm). (Translation.) Mr. Speaker, in connection with item 60 of the estimates, I would like to know how it is proposed to distribute that amount of $50,000? For over twenty years past, no exhibition has been held in Montreal, to the great detriment of manufacturers, business men, the farming community and trade generally.

This year the Quebec legislature has guaranteed the payment of the interest on $600,000, as a grant towards the great fair which is to be held in Montreal shortly. Besides, the Quebec legislature has subscribed $10,000 yearly towards the same object. The city of Montreal has voted a grant of $10,000 per year as an encouragement. I would like to know whether that company has applied to the Dominion parliament for a grant on behalf of the fair.

As one of those interested, intending as I do to be an exhibitor, I am desirous of getting that information. It is most unfortunate that the metropolis of Canada should have failed for the last twenty years having an exhibition for the benefit of the farmers and manufacturers of Canada. It is unfortunate that Montreal should be without its fair, while such fairs are being held in Ontario and the other provinces or parts of the province, such as Three Rivers, Sherbrooke and Guelph, Montreal in the meantime being left in the cold. For almost twenty years past the manufacturing, commercial and farming classes, have complained bitterly that Montreal has thus been left in the background. It has just been decided that something must be done.

We are without an experimental farm in the province of Quebec; we have only small stations, while in Ontario and the other provinces such farms have been established. At the opening of this session I heard the minister make an important statement to the effect that he proposed establishing illustration stations throughout the Dominion. Well, I trust he will not forget the finest section of the province of Quebec, and that he will start an illustration station in the district of Montreal.

Farmers of that district, who have to undergo expenses to visit the Ottawa experimental farm, start in the morning and reach here about half past eleven; they return in the afternoon after rapidly going over the farm without seeing all there is to see. They do not get from such a trip as much benefit as might be expected. Should the hon. minister carry out his plan and establish such stations or sub-experimental farms within the reach of the farmers, specially of those residing in the district of Montreal, great benefits would be reaped in that way. I hope the hon. minister will not forget carrying out the promise he made at the opening of this session; I hope also that parliament will find its way clear to assist toward the holding of that Montreal fair, which is so eagerly desired and so greatly needed.

Mr. FISHER. (Translation.) In answer to the hon. member for Montcalm, I may call his attention to the fact that this vote for the expositions has been given in turn to all the provinces, and that the province of Quebec has benefited by it in its turn, at the time of the Sherbrooke exhibition, four or five years ago. This year, the vote will go to the exhibition of St. John, New Brunswick, and next year, it will be given to Regina, in the province of Saskatchewan. That will complete the round of general exhibitions for all the provinces of the Dominion.

The government have not yet made up their minds as to whether these fairs should have a second time the benefit of this grant. But the province of Quebec has not been neglected and has had its turn as well as the others. Should we decide on a second series, I am satisfied that the Montreal fair will be one of the first to be considered.

As regards experimental farms, I may give the hon. member the assurance that, at the next session of parliament, I hope to be in a position to ask parliament to vote the amount required towards the establishment of an experimental farm in the province of Quebec.

Mr. DANIEL. One of the best methods of combatting tobacco is the taking of

measures to educate the people in preventative means, and with that object in view, I would suggest to the Minister of Agriculture that the Dominion government should institute a tobacco exhibit at each of the Dominion exhibitions. The minister has officers in his department quite competent to inaugurate such an exhibit, and I have no doubt the central tobacco association would aid.

Mr. FISHER. The suggestion has been made that we should have a fishery exhibit, an agriculture exhibit, a railway exhibit and so on at these exhibitions, but the government has never undertaken to do so. The exhibition association would much prefer that we should give them a lump sum of $50,000 and let them carry on their work.

Mr. DANIEL. Railway exhibits and fishery exhibits are important, but nothing can possibly compare with the conservation of the public health.

Exhibitions, $100,000.

Mr. FISHER. The exhibition was at Seattle last year and this year it is at Brussels. It will open on the 23rd of this month.

Mr. EDWARDS. What was the total cost to the government of the exhibition at Seattle?

Mr. FISHER. About $100,000.

Mr. EDWARDS. Who had charge of the exhibition there?

Mr. FISHER. Mr. Wm. Hutchison, permanent exhibition commissioner.

Mr. EDWARDS. I had the pleasure of seeing the Canadian exhibit at Seattle last summer, and I wish to congratulate the department on the excellence of that exhibition.

Mr. FISHER. I appreciate that very much.

To encourage the production and use of superior seeds of farm crops and for the enforcement of the Seed Control Act, $50,000.

Mr. SEXSMITH. So long as you allow noxious seeds to be scattered broadcast through the Dominion by means of the screenings which are sold for foodstuffs there is very little use in your spending money to combat the spread of weeds. These screenings from the western provinces are sent to Fort William, and are then shipped to the eastern provinces. When I mentioned this matter a short time ago the minister said it was a provincial affair, but I certainly think it is a matter which the Dominion Department of Agriculture should attend to. Many of the most dangerous weed seeds come in these screenings. It is poor policy to expend $50,000 to try and get pure seed when we allow these foul seeds to be distributed in that way at a loss of hundreds and hundreds of thousands of dollars to our farmers in the course of a year. Last year in the province of Ontario it was estimated that there was a shortage of $1,000,000 in the crop because of the sow thistle alone. If these people are determined to put these screenings on the market they should be compelled to try and get rid of the impure seeds in some way.

Mr. FISHER. I sympathize very much with the views expressed by the hon. member. The information in the department shows that many weed seeds are contained in feedstuffs. I do not know what remedy can be applied, but I can assure my hon. friend (Mr. Sexsmith) that the department will investigate the matter with a view to seeing what can be done.

Mr. SEXSMITH. I am glad the minister has promised to look into the matter, but I would remind him that six months' delay means a great loss to the farmers.

Mr. FISHER. We do not think we can deal with it under the law as it stands to-day.

Mr. SEXSMITH. Then an amendment should have been introduced in the Bill passed this session, giving the government authority to take preventative measures. I would not advocate the destruction of these feedstuffs if any other means can be found to purify them, but I think that if they were kiln dried the germinating quality of these seeds would be destroyed. Our expenditure to procure pure seeds will be nullified if we do not put a stop to this practice.

Mr. EDWARDS. Last year notice was given that if applications were made to the department for seeds up to a certain date in February, the seeds would be supplied. I informed a number of people in my county, and they sent me their applications Most of those applications were honoured, and a great deal of satisfaction was given to the people by the seed they obtained. I would like to know if similar applications will be honoured if sent in each year. Some of the farmers who sent in applications this year have informed me that they have not received any seed.

Mr. FISHER. We send the seed for the year in which the application comes, but do not repeat it, and we make it a condition of sending the seed that the recipient report to us at the end of the season the result of his sowing the seed. We do that as a precaution against the seed being neglected or not used. One of the advantages which the country derives from the distribution of seed is that the small quantity of seed with which the farmer is sup-

plied mutiplies year after year. Another advantage is that we get a great deal of information as to the adaptability of the seed to different localitles, which is useful to our experts. If we send a sample to a farmer, we expect him in return to send us a report.

Mr. EDWARDS. Do you send a form with the seed?

Mr. FISHER. Yes, always, and when a farmer neglects to send that report we are a little chary about sending him another sample. I do not say we do not send him one, but we reprimand him, and perhaps say that if he does not make a report on the second sample we will not send him another. We do not allow lists of farmers to be sent in for these purpose. We found when that was done that much seed was wasted. We have to get the personal application of the farmer as a guarantee of good faith.

Mr. EDWARDS. Probably the department, in sending out the seed this year has not taken into account the fact that this season is exceptionally early, which perhaps accounts for the farmers calling attention to the fact that they have not received the seed.

Mr. FISHER. We send out the samples as rapidly as we can.

Mr. G. TAYLOR. It is now eleven o'clock, and might I suggest that we run through the four items in quarantaine, and allow the balance of the items to stand.

Mr. FISHER. Very well.

Tracadie and d'Arcy Island lazarettos and leprosy generally, $11,000.

Mr. FISHER. The increase of $1,000 is in consequence of an increased allotment to the nuns who take charge of the cases at Tracadie.

Mr. EDWARDS. Is this disease increasing or decreasing?

Mr. FISHER. It is not increasing. The number at the lazaretto at Tracadie remains practically stationary at from 20 to 25. Most of the cases are from the neighbouring parts of New Brunswick and Nova Scotia. For some reason, which I cannot understand, the disease has never died out, but it does not seem to increase. When a case is discovered we take steps to remove it at once to the lazaretto, and the people in the neighbourhood are always willing to report a new case. The disease in the early stages is not contagious, so that we get the cases before it is allowed to spread. There have been one or two cases from the foreign element in Manitoba, and occasionally a Chinese has been sent from British Columbia. The Chinese are always anxious to go home, and we have an arrangement with the steamship company for deporting them.

Public Works Health Act, $8,000

Mr. GEO. TAYLOR. That is the annual vote?

Mr. FISHER. The same vote.

Steamer to replace the 'Argus' and 'Challenger,' $10,000.

Mr. FISHER. We have to get some new steamers in place of these. They are completely worn out.

Mr. GEO. TAYLOR. The same amount was voted last year?

Mr. FISHER. Yes, and this ought to finish it, I think.

Mr. EDWARDS. Has item No 53 been finally passed yet?

Mr. GEO. TAYLOR. No, that stands.

Mr. FISHER. Should we not take item No. 52?

Mr. SEXSMITH. 52 is a most important item.

Mr. GEO. TAYLOR. There are three or four items on which we may have some little discussion.

Mr. FISHER. I would like to take item 53. It is really part of the experimental farm vote.

Mr. GEO. TAYLOR. We discussed that pretty fully, I think.

Experimental farms—towards establishment and maintenance of additional branch stations, $55,000.

Mr. SEXSMITH. Can the minister, tell us where he intends to establish these?

Mr. FISHER. No, I cannot.

Mr. HENDERSON. We must take it by faith.

Mr. FISHER. I think I must compliment the House on a very good day's work, and I now beg to move that the committee rise and report progress.

Some resolutions reported.

Mr. FISHER moved the adjournment of the House.

Mr. GEO. TAYLOR. Might I ask the hon. minister what business will be taken up to-morrow?

Mr. FISHER. The Naval Bill, I think, is to be taken up by mutual arrangement.

Mr. GEO. TAYLOR. And if that is got through with?

Mr. FISHER. We will go on with my estimates, I think.

Motion agreed to, and House adjourned at 11 p.m

INDEX

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.

ALLEN, Mr. H. E., *Shefford.*

Quebec Command, Medical Officer, Payments to, Name, &c. (Ques.) 1789 (i).

ARMSTRONG, Mr. J. E., *East Lambton.*

Agriculture Dept., Administration of, on M. for Sup., 7193, 7234 (iv).

Apples grown in Prov. of Quebec (remarks) in Com. on Bill, 5643 (iii).

Blairmore Station Mail Service (Ques.) 7871 (v).

Budget, The (remarks) 2080 (ii).

Census of 1911, Estimated Cost, &c. (Ques.) 2429 (ii).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. 7295 (iv).

Combines Investigations Act B. 101 (Mr. King) in Com., 7892 (v).

Conservation of Natural Resources (B. 84) 1° m., 1587 (i); on M. for 2°, 6332; in Com., 6338, 6360; on M. for 3°, 6619 (iv).

——— Consideration of Bill (remarks) 6140 (iv).

Conservation Com., Meetings, &c. (Ques.) 1590 (i).

——— Names of Members (Ques.) 1196 (i).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 7006 (iv).

Dixon Post Office, Pet. *re* Removal, &c. (Ques.) 3293 (ii).

——— (remarks) in Com. of Sup., 7863 (v).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3918 (ii).

Electrical Measure Units B. 7 (Mr. Fielding) on Order for 2°, 5673 (iii).

ARMSTRONG, Mr. J. E.—*Con.*

Farm and Dairy Produce, Quantity exported for 1909 (Ques.) 1016 (i).

Free Mail Delivery, Closing of Post Office Distribution (Ques.) 1196 (i).
See 'Rural.'

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 183; on M. for 2°, 717 (i).

French Treaty, Similar Treatment to Germany (Ques.) 1196 (i).

German Surtax, Explanation *re* Negotiations (remarks) 3679 (ii).

German Tariff, Agreement *re* Dairy Products (remarks) 3832 (ii).

German Trade Relations, Par. in New York 'Herald' (remarks) 2635 (ii).

——— Similar Treatment *re* French Treaty (Ques.) 785 (i).

——— Value of Exports, &c. (Ques.) 261 (i).

Grand Bend Pier (remarks) in Com. of Sup., 3852 (ii).

G.T.P. Branch Lines, Charters, Construction, Location, &c. (Ques.) 1366 (i).

Hansard Debates, Omissions, &c. (remarks) 7880 (v).

Holstein and Jersey Cattle at Experimental Farms (Ques.) 4309 (iii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5809 (iii).

Indian Lands, Total Number of Acres sold, Receipts, &c. (Ques.) 783 (i).

Insects, Pests and Diseases Prevention B. 20 (Mr. Fisher) in Com. on Res. 211 (i); in Com., 5628 (iii).

I.C.R., on Annual Stmt., 2812 (ii).

ARMSTRONG, Mr. J. E.—*Con.*

Montreal Govt. Weigher, Apptmt. of (Ques.) 1196 (i).

—— Pets., Cor., &c. (M. for copies*) 1546 (i).

Montreal Harbour Commission Subsidy B. 191 (Mr. Fielding) in Com. on Res., 5901 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4423 (iii); in Com., 7452 (v.)

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5293 (iii).

Newspapers in Ont., Patronage *re* Advertisements (remarks) in Com. of Sup., 6146 (iv).

—— Inquiry for Ret., 8118 (v).

Port Arthur Dredging Inspectors, Names, Salaries, &c. (Ques.) 6507 (iv).

Port Colborne Elevator (remarks) in Com. of Sup., 3120 (ii).

Postmaster General, Absence *re* Official Business (Ques.) 267 (i).

P. O. Inspectors, Salary Increase, Pets. *re* (Ques.) 3167 (ii).

Post Offices, Location in Federal Buildings, System of rating Employees, &c. (Ques.) 5779 (iii).

Post Office Mail Contracts (remarks) in Com. of Sup., 6683 (iv).

Printing outside of Govt. Printing Bureau, Payments *re*, &c. (M. for ret.*) 414 (i).

—— Inquiry for, 2713 (ii).

Race Track Gambling B. 6 (Mr. Miller) on M. for 2°, 886 (i); on M. for Com., 6492 (iv).

Ry. Act (cable rates) Amt. B. 104 (Mr. Lemieux) on M. for 2°, 6008 (iv).

Returns, Inquiry for, 4812, 5625 (iii).

R. M. College Buildings, Total Cost *re* Maintenance (M. for ret.*) 3169 (ii).

Royal Mint, Loss *re* Operation, Amount of Silver (Ques.) 784 (i).

Rural Free Mail Delivery, Change in Design of Boxes (Ques.) 1783 (i).

—— Locks furnished, &c. (Ques.) 784 (i).

Rural Mail Delivery Routes, Number in Operation, Pets., &c. (Ques.) 259 (i).

—— (M. for ret.*) 1380 (i).

See 'Free.'

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5332, 5345 (iii), 6234, 6346, 6736 (iv).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7090 (iv).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2638 (ii).

SUPPLY—

Arts, Agriculture, &c. (census) 7376; (cold storage) 7383 (iv); (experimental farms) 227 (i), 5726; (exhibitions) 5728 (iii); (Patent Record) 7371 (iv).

Canals—Trent (construction) 3107; (Newmarket) 3109; Welland (elevators) 3120 (ii).

Civil Govt.—Agriculture (experimental farms) 227; (salaries) 219; Indian Affairs (salaries) 345; Labour (salaries) 236; Marine and Fisheries (contingencies) 252; (printing) 252 (i); Post Office salaries) 6650, 6683 (iv); Railways and Canals (contingencies) 249 (i).

Immigration (agencies) 5729 (iii).

Indians—Generally (land management fund) 7838 (v).

Mail Subsidies and SS. Subventions (Canada and Mexico) 5691 (iii).

Post Office—Outside Service (rural delivery) 5753 (iii); (salaries) 7863 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 426; (Eastern Block) 572; (Museum) 570; (Royal Mint) 557 (i).

Public Works—Buildings—Que. (Que. immigration sheds) 961; (Quebec ordnance stores) 968; (Roberval) 927; (Westmount) 964 (i).

Public Works—Dredging (new plant) 4761 (iii).

Public Works—Harbours and Rivers—N.B. (St. John) 6117 (iv.).

Public Works—Harbours and Rivers—N.S. (Burk's Head) 982 (i).

Public Works—Harbours and Rivers—P.E.I. (Lennox Island) 2694 (ii).

Public Works—Harbours and Rivers—Ont. (Fiddler's Elbow) 3836; (St. Lawrence River channel) 3834 (ii).

Public Works—Harbours and Rivers—Que. (Chicoutimi) 3886; (Contrecœur) 3889; (Fort William) 3892; (Gaspé) 3893; (Grand Mechin) 3901; (Grand Rivière) 3903; (Grand Vallée) 3904; (Grosse Isle) 3906; (Lake Aylmer) 3907; (Matane) 3907; (Natashquan) 3909; (Paspebiac) 3912; (Piche Point) 3913 (ii); (Ste. Croix) 4238; (Vaudreuil Cove) 4211 (iii).

Railways—I.C.R. (board of commissioners) 3698; Miscellaneous (ry. commission) 3129 (ii).

Trade and Commerce (Grain Inspection Board) 5714; (trade commissioners) 5714 (iii).

Swine Commission, Report of (Ques.) 2429 (ii).

Tariff Negotiations with U.S., on M. (Mr. Fielding) for Com. on Ways and Means, 5960, 5989 (iv).

'Toronto World,' Ownership by Govt., on Ques. of Priv. (Mr. Maclean) 5998 (iv).

Trade Representatives in Germany, Apptmt. of (remarks) 5278 (iii).

See 'German.'

Troy, Inverness, N.S., Postmaster, Investigation *re* Dismissal, &c. (Ques.) 7288 (iv).

U.S. Govt. Officials, Interference with Travelling Citizens (remarks) 6942 (iv).

ARMSTRONG, Mr. J. E.—*Con.*

Zinc Ores Smelting, Investigation, B. 182 (Mr. Templeman) in Com. on Res., 5796 (iii).

ARTHURS, Mr. J., *Parry Sound.*

Budget, The, 1946 (i).

Burk's Falls Wharfage Dues, Amount for 1907-9 (Ques.) 7872 (v).

Grain shipped from and received at Lake Ports, Ont. (Ques.) 445 (i).

Georgian Bay Canal, O.Cs. *re* Construction, on M. (Mr. White) for Copies, 3526 (ii).

Lake Nipissing Canal to Monetteville, Completion of (Ques.) 1194 (i).

Lake Nipissing Roller Dams, Total Cost, Damages, &c. (Ques.) 850 (i).

Magnatawan Wharfinger, Apptmt., Salary, &c. (Ques.) 7289 (iv).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6214, 6970 (iv).

Parry Sound Mail Service (remarks) in Com. of Sup., 5758 (iii).

Parry Sound Post Office (remarks) in Com. of Sup., 930 (i).

Powassan-Nipissing Mail Routes, Pets. *re* Changes, &c. (Ques.) 108 (i).

SUPPLY.

Geological Survey (assay office, Vancouver) 7769 (v).

Public Works—Buildings—Que. (Rouerval) 930 (i); Dredging—Que. and Ont. (generally) 6125; Harbours and Rivers —Ont. (Tiffin) 6122 (iv).

Trent Canal Water Powers, Control by Govt. (Ques.) 2185 (ii).

AYLESWORTH, Hon. A. B. (Minister of Justice) *North York, Ont.*

Blythe, Walter, Postponed Execution, Commutation, &c., on M. (Mr. Wallace) for Papers, 2009 (ii).

—— (correction) *re* Action of Crown, 2712 (ii).

B.C. Judicial Appointments, Delays, &c. (reply) to Mr. Borden, 11 (i).

Britton, Hon. Mr. Justice and National Trust Co. (Ans.) 6800 (iv).

Capital Cases and Action of the Crown, Correction (remarks) 2712 (ii).

Clarry, L. F., Charges *re* Trent Canal, Damages, &c. (remarks) 5226 (iii).

—— Instruction, Payments, &c. (Ans.) 6391 (iv).

Company Promoters, Legislation *re* Protection to Public (Ans.) 5105 (iii).

Convicts in Penitentiaries, Segregation of, on prop. Res. (Mr. Monk) 147 (i).

Criminal Code (ore thefts) Amt. B. 85 (Mr. Gordon) on M. for 2°. 2163; in Com., 2166 (ii).

AYLESWORTH, Hon. A. B.—*Con.*

Customs and Fisheries Protection Act Amt. (B. 138) 1° m., 3290 (ii); 2° m., 6190 (iv).

Delaucette, Mr. A., Instructions *re* Proceedings (Ans.) 8678 (v).

Disallowance of Ontario Legislation, on Inquiry for Rep., 7650 (v).

Dom. Police, Number sent to Thunder Bay, &c., *re* Dom. Election, 1907 (Ans.) 1007 (i).

Dubuc, Hon. Mr. Justice, Date of Resignation, Apptmt. of Successor (Ans.) 1976 (ii).

—— (remarks) 2278 (ii).

Du Tremblay, Mr. Arthur, Instructions *re* Prosecution (Ans.) 8678 (v).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1268 (i).

Escheats to the Crown (B. 206) M. for Com. on Res., 6508; in Com. on Res., 6974 (iv); in Com., 8384 (v).

Exchequer Court Act (ry. accidents) Amt. (B. 159) 1° m., 4996; in Com., 6182 (iv).

Federal and Provincial Jurisdiction *re* Companies (remarks) 3207 (ii).

Franking Privilege *re* Justice Dept. (Ans.) 1207 (i).

Franking Privilege, Political Literature and Sol. Gen.'s Frank (remarks) 7792 (v).

Georgian Bay Canal, and U. S. Privileges, *re* Waterways Treaty (Ans.) 3160 (ii).

Horse Racing. *See* 'Race Track', &c.

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2043 (ii).

Judges, Defence of, 7163 (iv).

Judicial Business, Montreal District, on M. (Mr. Monk) for Ret., 1797 (i).

Justice, Deptl. Rep. (presented) 7 (i).

Kelly, Wm. J., Kidnapping by U. S. Officers, Action of Can. Govt. *re* (remarks) 852 (i).

Manitoba King's Bench, Arrears of Work, &c. (Ans.) 4847 (iii).

—— Delay in Apptmt. (remarks) 5624 (iii).

Man. and Quebec Judges, Superior Court (prop. res.) 6607; in Com. on Res., 6976; in Com., 8383 (v).

National Battlefields Act Amt. (B. 188) 1° m., 5888; in Com., 6598 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7403 (v).

New York Canals, Use of by Canadian Vessels, Authority *re* (Ans.) 4128 (iii).

—— (remarks) on M. for Sup., 5206 (iii).

North Atlantic Fisheries, Date of Meeting at the Hague, Counsel, &c. (Ans.) 271 (i).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for Copy, 1552 (i).

AYLESWORTH, Hon. A. B.—*Con.*

Obscene Literature, Sale of, Skill and King, release from Central Prison, Political Pull, &c. (remarks) 7069 (iv).

——— (further explanation) 7183 (iv).

——— Letter of Attorney General (remarks) on M. for Sup., 8348 (v).

Offences against the Person, B. 71 (Mr. Lewis) on M. for 2°, 2040 (ii).

Ottawa and Quebec Representation in the House of Commons, on Amt. (Mr. Meighen) to Com. of Sup., 1309 (i).

Prendergast, Mr. Justice, Transfer to Man. (Ans.) 3490 (ii).

Prisons and Reformatories Act Amt. (B. 217) 1° m., 7867; in Com., 8382 (v).

Privilege, Ques. of, *re* Legal Work to Lawyers in Toronto, 8362 (v).

Quebec Superior Court at Montreal, Number of Cases standing (Ans.) 1370 (i).

Race Track Gambling B. 6 (Mr. Miller) on M. for 2°, 901 (i); in Com., 6541; on Amt. (Mr. McColl) in Com., 6582 (iv).

——— on Ques of Priv. (Mr. Miller) 6717 (iv).

Ry. Act (appeals) Amt. B. 3 (Mr. Lancaster) on M. for 2°, 457 (i).

Ry. Act (contracts) Amt. B. 5 (Mr. Northrup) on M. for 2°, Amt. (Mr. Graham) 6 m. h., 487 (i).

Railway Act (general) Amt. B. 145 (Mr. Graham) in Com., 8416 (v).

Robinson, Mrs., Pets. *re* Release of (remarks) 924 (i).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7163 (iv).

Speedy Trial Act, Number of Cases heard (Ans.) 1375 (i).

SUPPLY—

Civil Govt.—Justice (salaries) 253 (i).

Victoria Bridge Highway, Emigrants Burial Ground, Repairs, &c. (Ans.) 5889 (iii).

Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3432 (ii).

Winding-Up Act Amt. B. 65 (Mr. Meighen) on M. for 2°, 2039 (ii).

BARKER, Mr. S., *East Hamilton.*

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6849; in Com., 6906 (iv).

De Mar., Edna Shibley Relief (B. 223) 1°*, 8361 (v).

Gas Inspection Act (tests) Amt. B. 132 (Mr. Templeman) in Com., 5685 (iii).

Gaspereau River Dredging (remarks) in Com. of Sup., 3837 (ii).

Govt. Railways Pension B. 19 (Mr. Graham) on M. for 2°, 1138; in Com., 1148 (i).

BARKER, Mr. S.—*Con.*

Halifax Round-house Property, Purchase of (remarks) in Com. of Sup., 2948 (ii).

House of Commons Corridors, Ejectment of Coloured Clergyman (remarks) 7183 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5802, 5865 (iii).

Insurance Act B. 166 (Mr. Fielding) in Com., 7951 (iv).

I.C.R., on Annual Stmnt., 2827 (ii).

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1121 (i).

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2054 (ii).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2914 (ii).

Montreal Harbour Commission B. 191 (Mr. Fielding) in Com. on Res., 5905 (iii).

N.T. Ry., Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2406 (ii).

——— Lumsden Charges, Apptmt. of Counsel, on M. to conc. in 3rd Rep., 4073 (iii).

——— change in rep., &c., on M. for Sup., 5570 (iii).

——— on M. to conc. in 4th Report of Com., 6041 (iv).

——— on Amt. (Mr. Lennox) to Com. of Sup., 8305 (v).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 5676 (iii), 6963 (iv).

Nicholl, Emily Maud Relief (B. 222) 1°*, 8361 (v).

North Atlantic Trading Co., Pet. of Right, Cor., &c., on M. (Mr. Monk) for Copy, 1558 (i).

Ottawa Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin) in Com., 1365 (i).

Post Office, Outside Salaries (remarks) in Com. of Sup., 6675 (iv).

Privilege, Ques. of, Par. in Toronto 'World' *re* Salary to Leader of Opposition, 6612 (iv).

Public Accounts Com., on M. to ref. Aud. Gen.'s Rep., 609 (i).

Race Track Gambling B. 6 (Mr. Miller) on M. for 2°, 892 (i); on M. for Com., 6476 (iv).

Richibucto Wharf Purchase (remarks) in Com. of Sup., 3838 (ii).

Royal Guardians B. 120 (Mr. Rivet) in Com., 7257 (iv).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7102 (iv).

SUPPLY—

Arts, Agriculture, &c. (experimental farms) 7347 (iv).

BARKER, Mr. S.—*Con.*

SUPPLY—*Con.*

Canals—Soulanges (tool grinder) 3105 (ii)
Civil Govt.—Post Office (salaries) 6675 (iv).
Public Works—Harbours and Rivers—N.B. (creosoted timber) 3454; (Partridge Island) 3451; (Richibucto) 3442; (St. John tributaries) 3447; (St. John wharf property) 3452; (Shediac) 3450 (ii).
Public Works—Harbours and Rivers—Ont. (Burlington) 3456; (Byng Inlet) 3460 (ii).
Railways (board of commissioners) 3092 (ii).
Railways—Hudson Bay (surveys) 3068 (ii).
Railways—I. C. R. (Moncton cut-off) 2933; (Moncton shops) 2934; (revenue) 3091; (Robinson's crossing) 2945; (Ste. Rosalie) 2946 (ii).
Railways—N. T. Ry. (construction, &c.. 5247 (iii).
Railways—P. E. I. (Charlottetown) 3065; (Harmony-Elmira) 3064 (ii).
Railways (Quebec bridge) 3071 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8092 (v).

Water Carriage of Goods, B. 101 (Mr. Brodeur) in Com., 8012 (v).

Western Power Co's B. 86 (Mr. Taylor) in Com., 3434 (ii).

BARNARD, Mr. G. H., *Victoria, B.C.*

B. C. Railway Subsidies, Particulars *re* (Ques.) 5929 (iv).

Budget, The, 1673 (i).

Canadian Artillery, 5th Regiment, Complaints *re* Armouries at Esquimalt, &c., (Ques.) 2145 (ii).

Criminal Code (race-track) Amt. B. 6 (Mr. Miller) on M. for 2°, 886 (i).

Cullum, Wm., Apptmt. as Boiler Inspector (Ques.) 1529 (i).

Dredging Inspection of Public Works (remarks) in Com. of Sup., 4254 (iii).

Esquimalt Armament, Cost of Transportation of Guns, &c. (Ques.) 1017 (i).

——— Cor. *re* (M. for copy*) 3170 (ii).

Esquimalt Fortifications, Dismantling of, Conc. of Imp. Govt. (Ques.) 2292 (ii).

Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8032 (v).

Garrison Artillery Regiments, Number, Strength, &c. (Ques.) 2145 (ii).

——— Supply and Use of Field Guns, &c. (Ques.) 1790, 1799 (i).

Indian Act Amt. B. 141 (Mr. Oliver) in Com., 5926 (iii).

Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1259 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep of Com., 2920 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4182 (iii).

BARNARD, Mr. G. H.—*Con.*

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6214 (iv).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5236 (iii).

Pender Island Canal, Cost, Length, Depth, &c. (Ques.) 2427 (ii).

Public Works, B. C., Expenditure by Govt. (remarks) in Com. of Sup., 4279 (iii).

Public Works Engineers, Number of Resident, Salary, &c. (Ques.) 2293 (ii).

South African Scrip, Location in B. C. (Ques.) 1590 (i).

SUPPLY—

Mail Subsidies and SS. Subventions (Victoria and San Francisco) 5711 (iii).
Public Works—Harbours and Rivers—B. C. (Campbell) 4276; (Columbia river) 4277; (Nitinat Lake) 4715 (iii); (Victoria) 6123 (iv).
Public Works—Harbours and Rivers—Dredging, B.C. (new plant) 4775 (iii).
Public Works—Telegraphs—B.C. (generally) 5614 (iii).
Public Works—Harbours and Rivers—N.B. (St. John) 6117 (iv).
Public Works—Harbours and Rivers—Ont. (Tiffin) 6122 (iv).
Public Works—Harbours and Rivers—Que. (Ste Croix) 4236-4237 (iii).

Vancouver, Victoria & Eastern Ry. & Nav. co.'s B. 99 (Mr. Burrell) in Com., 4811 (iii).

Victoria Immigration Building, Cost of Construction, Maintenance, &c. (Ques.) 1369 (i).

——— Number of Inmates, &c. (Ques.) 2187 (ii).

"William Joliffe," Str., Date of Charter for Service, Pay, &c. (Ques.) 2187 (ii).

BEATTIE, Mr. T., *London.*

Banking Act, Expiration of, Issue of Currency, &c. (Ques.) 2950 (ii).

Criminal Code (race track) Amt. B. 6. (Mr. Miller) on M. for 2°, 880 (i).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1294 (i).

Gas Inspection Act (tests) Amt. B. 132 (Mr. Templeman) in Com., 5680 (iii).

Goderich Excise Collections, Name of Officer, &c. (Ques.) 3933 (ii).

Immigrants at Quebec, Treatment by Officials (remarks) 6609 (iv).

Labour, Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1248 (i).

Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2916 (ii).

London and Lake Erie Ry. and Transportation Co.'s incorp. B. 91 (Mr. Harris) in Com., 3930 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4989 (iii).

BEATTIE, Mr. T.—*Con.*

SUPPLY—

Immigration (agents, &c.) 8204 (v).

Public Works—Harbours and Rivers—Ont. (Martin's Island) 3474 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6388 (iv).

Zinc Ores Smelting Investigation B. 182 (Mr. Templeman) in Com. on Res., 5797 (iii).

BEAUPARLANT, Mr. A. A., *St. Hyacinthe.*

Civil Service Act (garnishee) Amt. (B. 175) 1°m., 5620 (iii).

——— Ques. of Priv., 7066 (iv).

I.C.R., Prosecutions *re* Damages by Fire, &c. (remarks) in Com. of Sup., 2946 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3683 (ii), 4568 (iii).

SUPPLY—

Railways—I.C.R. (facilities) 2946 (ii).

BELAND, Mr. H. S., *Beauce.*

Cargo Inspections, Names of Ports, Results, &c. (Ques.) 642 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4108 (iii).

Tuberculosis, Prevention of, on prop. Res. (Mr. Perley) 1392 (i).

BEST, Mr., *Dufferin.*

House of Commons, Sessional and Temporary Employees, Names, &c. (M. for ret.*) 5502 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4392 (iii).

Peace River Country, Portions opened for Settlement, &c. (Ques.) 4313 (iii).

Retail Merchants Association B. 210 (Mr. Gervais) in Com., 8588 (v).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2655 (ii).

Sessional Employees, H. of C., Number in January (Ques.) 4514, 5001 (iii).

SUPPLY—

Railways—N.T. Ry. (construction, &c.) 5254 (iii).

BICKERDIKE, Mr. R., *Montreal, St. Lawrence.*

Clean Currency, &c. (remarks) 7190 (iv).

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 756 (i).

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).

——— Water on Passenger Trains, Filtering, &c. (remarks) on M. for Sup., 1303 (i).

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).

SUPPLY—

Fisheries—Miscellaneous (fish transportation) 5749; (hatcheries) 5752 (iii).

Public Works—Miscellaneous (McGee, Hon. D'Arcy, monument) 6159 (iv).

Tuberculosis, Prevention of, on prop. Res. (Mr. Perley) 1393 (i).

BLAIN, Mr. R. *Peel.*

Apples grown in Prov. of Quebec (remarks) in Com. on Bill, 5646 (iii).

Bay St. Lawrence Light-keeper, Complaints *re* (Ques.) 4311 (iii).

Brownridge, James Thornton, Relief (B. 202) 1°*, 6802 (iv)

Canadian Northern Alberta Ry. Co.'s Subsidy B. 227 (Mr. Graham) in Com. on Res., 8487 (v).

Cigarettes, Number manufactured and imported, &c. (Ques.) 631 (i).

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).

BLAIN, Mr. R.—*Con.*

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6624 (iv).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3921 (ii); 5774 (iii).

Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8694 (v).

Garden Fruits and Vegetables, Pet. *re* Removal of Duty (remarks) on M. for Sup., 6649 (iv).

Gaspereau Dredging, Demand for Papers read by Ministers (remarks) 2490 (ii).

Govt. Annuities Act Amt. B. 155 (Mr. Fielding) in Com., 6330 (iv).

Govt. Employees, Crown Residences, Inquiry for Ret., 3058 (ii).
See 'Senate.'

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).
See 'Senate.'

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).

Linotype Machines, Removal of Duty (Ques.) 6391 (iv).

L'Institut de Notre Dame des Missions, incorp. B. 80 (Mr. Martin) in Com., 3139 (ii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6279 (iv).

Milk Tests, Glass Inspection B. 184 (Mr. Fisher) in Com. on Res., 5884 (iii).

Mond Nickel Patent Relief B. 92 (Mr. McGiverin) in Com., 3090 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7435 (v).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 5675 (iii).

BLAIN, Mr. R.—*Con.*

Nelson River Ry. Co.'s B. 52 (Mr. Rutan) in Com., 4821 (iii).

Newspapers, List *re* advertising Public Works (remarks) in Com. of Sup., 8818 (v).

Newspapers in Ontario, Patronage *re* Advertising (remarks) in Com. of Sup., 6141 (iv).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for Copy, 1569 (i).

Patronage List and Tory Whip, Par. in Toronto 'World,' (personal explanation) 7070 (iv).

Port Credit Dredging (remarks) in Com. of Sup., 6126 (iv).

Post Office Patronage List (remarks) in Com. of Sup., 6651 (iv).

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).

Proportional Representation in H. of C., on M. (Mr. Monk) for Sel. Com., 140 (i).

Public Accounts Com., on M. to ref. Aud. Gen.'s Rep. (amt.) 612 (i).

Rabies, Regulations by Dept. of Agriculture (remarks) 4532 (iii).

Race-track Gambling Bill, Pamphlet *re*, on Ques. of Priv. (Mr. Miller) 3943 (ii).

Ry. Act (appeals) Amt. B. 3 (Mr. Lancaster) on M. for 2°, 455 (i).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8431 (v).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7657 (v).

Royal Military College Act Amt. B. 180 (Sir Frederick Borden) in Com. on Res., 5784 (iii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5363 (iii), 6227, 6341 (iv).

Saskatchewan Central Ry. Co.'s incorp. B. 121 (Mr. Martin) in Com., 4753 (iii).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com. on Res., 809 (i).

Senate and H. of C. Residents in Parliament Buildings, Inquiry for Ret., 3296 (ii).
See 'House.'

SUPPLY—

Arts, Agriculture, &c. (animals health) 7763 (v); (census) 7374; (farm bulletins) 7380 (iv); (live stock industry) 7749 (v); (tobacco) 7382 (iv).

Canals—Chambly (Canton wharf) 3122; Lachine (wharfs and basins) 3103; Trent (damages) 3120; (Newmarket) 3119 (ii).

Civil Govt.—Agriculture (clerks) 7764 (v); Finance (salaries) 335; Indian Affairs

BLAIN, Mr. R.—*Con.*

SUPPLY—*Con.*

(salaries) 366, 414 (i); Interior (contingencies) 8195; (salaries) 8194 (v); Post Office (salaries) 6651 (iv); Public Works salaries) 333 (i).

Dom. Lands (printing, &c.) 8493 (v).

Excise (distilleries) 1333; Inspectors (salaries) 1331 (i).

Immigration (salaries) 8494 (v).

Militia (rifles, &c.) 8562 (v).

Naval Service (maintenance) 8496 (v).

Ocean and River Service (ice-breakers) 8518 (v).

Public Works—Buildings—Alta. (Strathcona) 8190 (v).

Public Works—Buildings—B. C. (Greenwood) 8191; (Williamshead) 8191 (v).

Public Works—Buildings—Man. (Portage la Prairie) 8182 (v).

Public Works—Buildings—N. B. (Bathurst) 580; (Grand Falls) 582; (Lunenburg) 576; (Wolfville) 579 (i).

Public Works—Buildings—Ont. (Chesley) 7173; (Fergus) 7178 (iv); (Goderich) 7496; (Guelph) 7498; (Harriston) 7503; (Kincardine) 7505; (Leamington) 7506; (Listowel) 7506; (Mitchell) 7507; (Mount Forest) 7510; (Niagara Falls) 8170; (Uxbridge) 8178; (Wallaceburg) 8178; (Waterloo) 8178; (Whitby) 8179 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 418, 539 (i); (deptl., new) 7169 (iv); (military stores) 601; (museum) 569 (i); (National Art gallery) 6158 (iv); (parliament driveway) 8174; (Printing Bureau) 8170; (Senate redecorating) 8176 (v); (standardizing room) 572 (i).

Public Works—Buildings—P.E.I. (Summerside) 580 (i).

Public Works—Buildings—Que. (Lachine, heating) 667; (Megantic) 700; (Plessisville) 704; (Roberval) 944; (St. Roch) 830; (Westmount) 964 (i).

Public Works—Buildings—Sask. (Estevan) 8185 (v).

Public Works—Buildings—Yukon (rents, repairs, &c..) 8193 (v).

Public Works—Dredging, B.C. (new plant) 4772 (iii); Man. (generally) 6138 (iv); Mar. Provs. (generally) 4782, 4805 (iii); Que. and Ont. (generally) 6125 (iv); dredging (new plant) 4740, 4755; (vessel repairs) 4731 (iii).

Public Works—Harbours and Rivers—Generally (bridge work) 4731 (iii).

Public Works—Harbours and Rivers—Man. (St. Andrew's Rapids) 6104 (iv).

Public Works—Harbours and Rivers—N.S. (Port Maitland) 1167, 1174; (Saw Pit) 1176; (South Cove) 1177; (Yarmouth) 1191 (i).

Public Works—Harbours and Rivers—Ont. (Port Arthur, &c.) 6101; (Victoria) 6123 (iv).

Public Works—Harbours and Rivers—Que. (Murray Bay) 3908; (Natashquan) 3909; (Paspebiac) 3912; (Petit Saguenay) 3913; (Piche Point) 3914 (ii).

Public Works—Harbours and Rivers—Yukon (Lewes and Yukon rivers) 4731 (iii).

Public Works—Miscellaneous (Brown, Hon. Geo., monument) 6158; (Deep Waterways Commission) 6163; (engineering branch) 6163; (telephone memorial) 6161; (Tilley, Sir Leonard, memorial) 6162 (iv).

Public Works—Roads and Bridges—N.B. (Courtenay Bay) 6151; Ont. and Que. (Chapeau) 6150; (Hawkesbury) 6151 (iv).

Public Works—Slides and Booms (Saguenay) 6149 (iv).

Public Works—Telegraph Lines, Alberta (Limerick-Gravelburg) 6154; Que. (St. Lawrence shore) 6153 (vi).

Railways—I.C.R. (bridge strengthening) 2873; P.E.I. (construction) 3102; Miscellaneous (ry. commission) 3096, 3128; (Quebec bridge) 3073 (ii).

Weights and Measures (inspection) 1355 (i).

Yukon Govt. (administration salaries) 8487 (v).

Tuberculosis, Prevention of, &c., on prop. Res. (Mr. Perley) 1396 (i).

Uxbridge Public Building (remarks) in Com. of Sup., 8187 (v).

Volunteer Bounty Act Amt. B. 163 (Mr Oliver) on M. for 2°, 6378 (iv); in Com., 8399 (v).

Zinc Ores Smelting Investigation B. 182 (Mr. Templeman) in Com. on Res., 5796 (iii).

BLONDIN, Mr. P. E., *Champlain.*

French Canadian Party in Parlt., Ques. of Priv., 8115 (v).

Godin, Dr. Arsene, Payment of Indemnity *re* Damages on Chambly Canal, &c. (Ques.) 2486 (ii).

Grand Mere Post Office (remarks) in Com. of Sup., 932 (i).

N.T. Ry. Classification, &c., on M. (Sir Wilfrid Laurier) for Com., 2598 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4453 (iii).

St. Maurice River Dredging, Grand Piles Chute, &c. (Ques.) 5931 (iv).

SUPPLY—

Public Works—Buildings—Que. (Roberval) 932; (Shawinigan Falls) 951 (i).

BORDEN, Hon. Sir FREDERICK, K.C.M.G. (Minister of Militia), *Kings, N.S.*

Airships, Devlopment of for Militia Purposes, Govt. Assistance to (Ans.) 1369 (i).

——— Govt. Assistance to Messrs. McCurdy and Baldwin (Ans.) 446 (i).

Armouries, Govt. Policy *re* Building (Ans.) 1594 (i).

Armouries and Drill Halls, on Inquiry for Ret., 5689 (iii).

Army Service Corps, Charges against two officers, &c (Ans.) 2288 (ii).

See 'DelaRonde.'

Artillery Horses *re* Petewawa Camp, Amounts paid by Govt. (Ans.) 786 (i).

BORDEN, Hon. Sir FREDERICK—*Con.*

Artillery, Re-armament of, Reasons for (Ans.) 1372 (i).
See 'Garrison.'

Baby Farm Sale (B. 181) prop. Res., 2634 (ii); in Com. on Res., 5791 (iii); in Com., 5941, 6003 (iv).

Boy Scouts, Visit to Canada, Information *re* (remarks) 3058 (ii).

Canadian Artillery, 5th Regiment, Complaints *re* Armouries at Esquimalt (Ans.) 2146 (ii).
See 'Garrison.'

Cartwright, Sir R., Lease of Lands: *See* 'Frontenac.'

Chevalier, Dr. E. N., Resignation, Pension, &c. (Ans.) 636 (i).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7296 (iv).

DelaRonde, Major and Capt., Charges *re* (Ans.) 135 (i).
——— Report of Justice Dept. (Ans.) 5500 (iii).
See 'Army Service,' 'Ottawa,' &c.

Eastern Cavalry Brigade, Strength, Cost, &c. (Ans.) 637 (i).

Eighteenth Regiment, Refund of Moneys *re* False Names on Pay Lists (Ans.) 6801 (iv), 8837 (v).
See 'Savard,' 'Scott,' &c.

Esquimalt Armament, Cost of Transportation of Guns, &c. (Ans.) 1018 (i).

Esquimalt Fortifications, Dismantling of, Imp. Conc. (Ans.) 2292 (ii).
See 'Garrison,' 'Halifax,' &c.

Fenian Raid Veterans, Land Grants, &c. (Ans.) 789 (i).
——— Request *re* Indemnity (Ans.) 5560 (iii).

French, Sir John, Inspection of Militia Camps (Ans.) 133 (i).

Frontenac County, Lands held by Govt. for Military Purposes (Ans.) 1371 (i).
——— Property leased to Sir R. Cartwright, &c. (Ans.) 262 (i).

Garrison and Artillery Regiments, Supply of Guns, &c. (Ans.) 1593 (i).
——— on Question being put by another Member (remarks) 1791; (Ans.) 1800 (i).
——— Strength, &c. (Ans.) 2145 (ii).
See 'Esquimalt,' &c.

Halifax and Esquimalt Docks, Protection *re* Deterioration, &c. (Ans.) 1011 (i).
——— (remarks) 1802 (i).
——— Observations of Sir Wm. White, Stmnt. (read) 1961 (ii).

Horse-Breeding for Military Purposes 843 (i).

Imperial Defence Conference, Total Expenditure (Ans.) 783 (i).

BORDEN, Hon. Sir FREDERICK—*Con.*

Kingston Battery Soldiers, Payments *re* Services for Moving Pictures (Ans.) 1193 (i).

Lambton Barracks, Acquiring of Property (Ans.) 271 (i).
See 'Baby,' &c.

Military Courts of Inquiry, Curtailment of Rights, &c. (Ans.) 275 (i).

Military Lands: *See* 'Baby,' &c.

Military Topographical Surveys, Expenditures *re* (Ans.) 1375 (i).

Militia Active Service, Standards *re* Efficiency in Rifle Shooting (Ans.) 1596 (i).

Militia Clerks, Apptmt. without Examinations (Ans.) 1375 (i).

Militia Clothing, Life of, Purchase of New Material (Ans.) 1018 (i).

Militia, Deptl. Rep. (presented) 781 (i).

Militia Expenditures *re* Fortifications, Submission to Leader of Opposition (Ans.) 1779 (i).

Militia Field Allowance, Expenses of Staff Officers (Ans.) 1202 (i).

Militia Inspection, Pay, Rates of to Inspectors (Ans.) 1535 (i).

Militia Medical Attendance, Govt. Allowance for Married Officers (Ans.) 1595 (i).

Militia Pension Act Amt. (B. 194) prop. Res., 2633 (ii); in Com. on Res., 6012, 6097, 1°*, 6098; 2° m. and in Com., 6190 (iv).

Militia Officers, Provisional School Allowance (Ans.) 1019 (i).

Militia Pay and Allowance Regulations, &c. (Ans.) 1378 (i).

Militia Provisions *re* Arms, &c. for active War Establishments, &c. (Ans.) 842 (i).

Militia Stores Building, Ottawa, Instructions to Dom. Police *re* Patrolling (Ans.) 838 (i).
——— Loss of Clothing by Fire, &c. (Ans.) 845 (i).
——— Value of Damage by Fire (Ans.) 386 (i).

Militia Tents, Average Cost, &c. (Ans.) 1780 (i).

Minnedosa Drill Hall (remarks) in Com. of Sup., 8572 (v).

Mobilization Equipment, Canadian System re (Ans.) 1200 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3296 (ii); in Com., 7440 (iv).

Naval Defence Documents, on Inquiry for, 2798 (ii).

Naval Service, Purchase of 'Rainbow,' Meaning of 'Upkeep,' &c. (Ans.) 3738 (ii).

Ordnance Corps, Ottawa, Lodging Allowance, Ottawa Collegiate, &c. (Ans.) 1203 (i).

Ordnance Stores, Kingston, Repairs and Lease, &c., (Ans.) 5782 (iii).

BORDEN, Hon. Sir FREDERICK—*Con.*

Ottawa Army Service Corps at Quebec, Authority *re* Emplymt. of Horses, &c., (Ans.) 2289 (ii).
See 'DelaRonde.'

Pay Lists of 18th Regiment, Personators (Ans.) 8837 (v).
See 'Eighteenth.'

Permanent Force, Average Cost per man, annually (Ans.) 1013 (i).

——— Canadians appointed in Permanent Forces, Proportion, &c. (Ans.) 5499 (iii).

——— Cost of Maintenance (Ans.) 1781 (i).

——— Increase in Establishments, &c. (Ans.) 843 (i).

——— Number of Re-enlistments, &c. (Ans.) 3735 (ii).

——— Officers Entertaining Allowance (Ans.) 1531 (i).

——— Requirements *re* Instructions, &c., (Ans.) 1011 (i).

——— Scale of Payments, &c., (Ans.) 1012 (i).

——— Schools of Instruction, Certificates issued, &c. (Ans.) 1531 (i).

——— Total Strength and Expenditure (Ans.) 266 (i).

Petawawa Military Review, Visit of Sir John French (remarks) 5279 (iii).

Quebec Command, Medical Officer, Payments to, Name, &c. (Ans.) 1790 (i).

Queen's Own Rifles at Aldershot, Expenditure *re* (Ans.) 3678 (ii).

Rifles for Cadet Corps, Number, Patterns, &c. (Ans.) 265 (i).

Rifle Practices, Facilities *re* (Ans.) 1595 (i).

Ross Rifle Mark II**, Certificate *re* Bisley Team, Number issued, &c. (Ans.) 134, 273 (i).

——— on ques of priv. (Mr. Staples) 339 (i).

Ross Rifles, Mark I and Mark II**, Defects, Issue of, Contracts *re* &c., (Ans.) 1533; on Ques. of Order (Mr. Monk) 1534 (i).

——— Ques. of Order *re* Answer to Mr. Worthington (withdrawal) 1597 (i).

——— Number received, contracted for, &c. (Ans.) 5499 (iii).

——— Submission to N. R. Association *re* Bisley Meet (Ans.) 4082 (iii).

——— Weight of (Ans.) 8678 (v).

Royal Canadian Dragoons, Transfer from St. Johns, Que. (Ans.) 3491 (ii).

R. M. College Act Amt. (B. 180) Prop. Res., 2633 (ii); in Com. on Res., 5783 (iii); 2° m., 6098 (iv).

R. M. C. Cadets, Visit to Ottawa (remarks) 8584 (v).

R. M. College, Servants' Cottages, Removal of (Ans.) 5781 (iii).

BORDEN, Hon. Sir FREDERICK—*Con.*

St. Johns, Que. Military Property, Valuation, Disposal, &c. (Ans.) 3737 (ii).

St. Lambert Military School of Instruction, Purchase of Site, &c. (Ans.) 3738 (ii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5492 (iii).

Saddlery and Harness for Militia, Average Cost, &c. (Ans.) 1780 (i).

Savard, Lt.-Col., Retention of Money from Capt. Talbot, &c. (Ans.) 8659 (v).

——— Sale of Uniforms of 18th Regiment (Ans.) 6800 (iv).
See 'Eighteenth.'

Scott, Col. B. A., Defaulting Payments, &c. (Ans.) 8836 (v).

——— Resignation from 18th Regiment (Ans.) 8109 (v).

S. A. Contingent despatched from Canada, Expenditure *re* (Ans.) 1204 (i).

S. A. Patriotic Fund, Control of, Complaints *re* (Ans.) 2952 (ii).

South African Scrip, Location in B. C. (Ans.) 1590 (i).

S. A. Volunteer Scrip, Issue of to Relatives (remarks) 8581 (v).

S. A. War, Reinstatement of Aud. Gen.'s Messenger (remarks) in Com of Sup., 8568 (v).

Stanley Barracks, Sale of Baby Farm, &c. (Ans.) 2952 (ii).
See 'Baby.'

Subtarget Rifle Machines, Number purchased, &c. (Ans.) 1779 (i).

Supply B. 173 (Mr. Fielding) in Com., 5532 (iii).

SUPPLY—

Militia (annual drill) 8564; (armoury grants) 8570; (armoury to 65th Reg.) 8570; (arms, rifles, &c.) 8556; (civil employees) 8574; (engineers) 8569; (gratuities) 8571; (monuments) 8575; (pay, &c.) 8559; (topographical survey) 8574 (v).

Public Works—Buildings—Que. (Quebec barracks) 975; (citadel drill shed) 967; (Quebec, ordnance stores) 967 (i).

Sutherland Rifle Sights, Number contracted and delivered, &c. (Ans.) 1536 (i).

Talbot, Capt. Rene, Payment of Allowances for 1907 (Ans.) 6800 (iv).

'Whig,' Kingston, Payments to by Govt. (Ans.) 1778 (i).

BORDEN, Mr. R. L., *Halifax.*

Address, The, 33 (i).

Address to Earl Grey, on Closing of Term of Office (seconded) 8740 (v).

Agriculture Dept., Administration of, on M. for Sup., 7194 (iv).

Albert Medal: *See* 'Reynolds.'

BORDEN, Mr. R. L.—*Con.*
Alien Labour Law, Violation, &c. (remarks) 4813 (iii).
Aud. Gen. Messenger, Re-instatement *re* S. A. War (remarks) in Com. of Sup., 8567 (v).
Aud. Gen.'s Rep. (vol. II) Inquiry for, 1445 (i).
Bank Act Amt., Inquiry for, 2061 (ii).
Barr, Dr., Decease of (remarks) 201 (i).
Bread: *See* 'Inspection.'
B. C. Judicial Apptmts., Delays, &c., on M. to adjn. (remarks) 5 (i).
See 'Judicial.'
B. C. Lt. Governorship, Apptmt. of Mr. F. C. Wade, Charges *re* (remarks) on M. for Sup., 531 (i).
Budget, The, Date of Delivery (remarks) 1002 (i).
Budget, The (remarks) 2081; Ques. of Order, 2085 (ii).
Canadian Associated Press Subsidy B. 228 (Mr. Fielding) in Com. on Res., 8685 (v).
Canadian Northern Alberta Ry. Co.'s Subsidy B. 227 (Mr. Graham) in Com. on Res., 8487 (v).
Central Canada Manufacturers' Mutual Fire Ins. Co.'s B. 123, on Senate Amts., 8657 (v).
Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7296 (iv).
Coal Supply to Lighthouse Keepers in N. S. (remarks) 8585 (v).
Combines Investigation Act Amt. B. 101 (Mr. King) on M. for Com. on Res. 6806 (iv); in Com., 7890; on M. for 3°, 7995 (v).
—— on Personal Explanation (Mr. King) 7188 (iv).
Conservation of Natural Resources B. 193 (Mr. Fisher) in Com., 6359; on M. for 3°, 6619 (iv).
Criminal Code (motors) Amt. B. 13 (Mr. Lewis) in Com., 8730 (v).
Criminal Code (ore thefts) Amt. B. 85 (Mr. Gordon) in Com., 2167 (ii).
Currency Act Amt. B. 195 (Mr. Fielding) in Com. on Res., 6188; in Com., 6632 (iv).
Debates, Official, on M. (Mr. Gervais) to conc. in 2nd Rep. of Com., 3056 (ii).
—— Translators, Apptmt. of, on M. (Mr. Fielding) 3914 (ii).
Disallowance of Ontario Legislation, inquiry for Reps., 7291 (iv), 7650 (v).
Dog-Fish Reduction Plant, Cost of Maintenance, Location, &c. (M. for ret*) 109 (i).
Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3916 (ii).
Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8689 (v).

BORDEN, Mr. R. L.—*Con.*
Estimates, Suppl. (remarks) 3987 (iii).
Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8034 (v).
Fisheries Commission *re* Man., on Inquiry for Report, 1963 (ii).
—— Signing of Report (remarks) 2061 (ii).
Franking Privilege and Political Literature, &c. (remarks) 7823 (v).
French Floods, Relief Fund (remarks) *re* Grant, 3059 (ii).
French Treaty B. 12 (Mr. Fielding) in Com. on Res., 189; on M. for 2°, 707, 715; on M. for 3°, 822 (i).
French Treaty, Cor., &c. (M. for copies*) 109 (i).
French Treaty (remarks) on M. to adjn., 6 (i).
German Tariff, Agreement with Canada (remarks) 4712 (iii).
—— Explanation *re* Negotiations (remarks) 3681 (ii).
German Tariff, Agreement with Canada (remarks) 3829 (ii).
Govt. Railways Claims B. 151 (Mr. Graham) on M. for 1°, 4403 (iii).
Government's Railway Pension Amendment B. 19 (Mr. Graham) in Com., 1140 (i); on M. for 3°, 2637 (ii).
G. T. P. *See* 'Natl. Transcl.' &c.
Halifax and Esquimalt Navy Yards, Condition of, Observations of Sir Wm. White (remarks) 1802 (i).
Halifax Harbour and Gun Practice, Res. from Fishermen (remarks) 4714 (iii).
'Hestia,' Str., Wreck, Reps., Cor., &c., *re* Maintenance of Old Proprietor Ledge Buoy, on M. (Mr. Daniel) for Papers, 315, 323 (i).
Horse Racing. *See* 'Race Track.'
Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5523 (iii).
Imperial Defence Conference, New Zealand and Australia, Papers (remarks), 207 (i).
Indian Lands Sale in Alberta, on Ruling (Mr. Speaker) *re* Irregularity of Discussion, 119 (i).
Inland Revenue Act (warehouses) Amt. B. 9 (Mr. Templeman) in Com. on Res., 152
Inspection and Sales Act (bread) Amt. B. on M. (Mr. Currie) to introduce, 517 (i).
Insurance Act B. 166 (Mr. Fielding) in Com., 7943 (v).
I. C. R., on Annual Stmnt., 2827 (ii).
—— Board of Management, Rep. to Hse. (remarks) 2791 (ii).
—— Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1106, 1803 (i); on M. for 3°, 2214 (ii); on Senate Amts., 8402 (v).

BORDEN, Mr. R. L.—*Con.*

I. C. R. and N. T. Ry. Estimates, Discussion *re* (remarks) in Com. of Sup., 3132 (ii).

——— and P. E. I. Ry. Employees Fund B. 19 (Mr. Graham) in Com., 1140 (i); on Order for 3°, 2637 (ii).

——— Low Rates, Inquiry for Information (remarks) in Com. on Ry. Bill 8481 (v).

——— Windsor Junction and Dartmouth, Change of Service (remarks) 332, 343 (i).

Irrigation Act Amt. B. 186 (Mr. Oliver) in Com., 6201 (iv).

Judges Act (Man. and Que.) Amt. (B. 207) in Com., 8383 (v).

Judicial Apptmts. in N.S. (remarks) 623 (i).

See 'B.C.'

Labour Hours on Public Works, on 1st Rep. of Com., 1586 (i); on M. to conc. in 2nd Rep. of Com., 2903 (ii).

Labour, Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1269 (i).

Lobster Fisheries Investigation Rep., on M. (Mr. Sinclair) to conc., 8105, 8233 (v).

See 'Marine.'

Lumsden, Mr., Resignation, Letter to Prime Minister, Inquiry for, 622 (i).

See 'Nat. Transcl.,' &c.

Mahone Customs Collector, Dismissal, &c. (Ques.) 6507 (iv.)

Manitoba Boundaries, on Amt. (Mr. A. Haggart) to Com. of Sup., 8160 (v).

Manitoba Grain Act Amt. B. 49 (Mr. Fisher) on Prop. Res., 520; in Com. on Res., 657 (i).

Marine and Fisheries Committee, on M. (Mr. Sinclair) to conc. in 6th Rep., 6606 (iv).

See 'Lobster.'

Militia Pension Act Amt. B. 194 (Sir Frederick Borden) in Com., 6191 (iv).

Morning Sittings, on M. (Sir Wilfrid Laurier) 6099 (iv).

Motions to Adjn., Ruling of Mr. Speaker, on Personal Explanation (Sir Wilfrid Laurier) 127 (i).

Motions, Unopposed, Preparation by Depts., &c. (remarks) 1600 (i).

National Battlefields of Quebec B. 188 (Mr. Aylesworth) in Com., 6599 (iv).

N.T.R. Commissioners' Rep., Printing of (remarks) 97 (i).

Nat. Transcl. Ry., Lumsden, Mr., Resignation as Chief Engineer (remarks) 97 (i).

——— (remarks) on M. to adjn., 6 (i).

——— Resignation, Reps. Cor., &c. (M. for copies*) 109 (i).

——— Inquiry for Papers, 258 (i).

BORDEN, Mr. R. L.—*Con.*

N. T. Ry., Additional letter to Prime Minister, (remarks) 448 (i).

——— (remarks) *re* Printing Papers, 377, 1302 (i).

N.T. Ry. Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2367, 2601 (ii).

——— Meeting of Com. (remarks) 3480 (ii).

——— on M. to conc. in 4th Report, 6055 (iv).

——— 6th Rep. of Com., on M. (Mr. Geoffrion) to conc., 8737 (v).

——— Errors in Rep. of Com. *re* Reporting to Hse. (remarks) 5196, 5277 (iii).

——— on M. for Sup., 5589 (iii).

——— Ques. of Order, 5597 (iii).

——— on M. (Mr. Taylor) to adjn. debate, 5599 (iii).

N.T. Ry., on Prop. Res. (Mr. Lennox) *re* Royal Commission, 8326 (v).

——— Ques. of Order (Mr. Fielding) 8310 (v).

N.T. Ry., Counsel, &c. (remarks) 4516 (iii).

——— Payments to Counsel (remarks) 8841 (v).

Naturalization Laws, Reply to Inquiry from Imp. Govt. (remarks) 7291 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 1°, 1738 (i); on M. for 2°, 2979, Amt., 2991 (ii); Neg. (Y. 74; N. 129) 5101 (iii); in Com., 7396; on M. for 3°, 7528 (v).

——— Ques. of Order *re* withdrawing stmnt., 4940 (iii).

Naval Defence Bill, Inquiry for, 520, 1100, 1600 (i).

Naval Defence Conference (remarks) on M. to adjn., 6 (i).

——— Further Documents, Inquiry for, 2797 (ii).

Naval Service, of Canada, Purchase of 'Rainbow,' Upkeep, &c. (Ques.) 3738 (ii).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6208 (iv).

Nelson River Ry. Co.'s B, 52 (Mr. Rutan) in Com., 4836, 5289 (iii).

New York Canals, Reciprocal Use of by Canadians (remarks) 5208 (iii).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for copy, 1560 (i).

N.S. Judges: *See* 'Judicial,' &c.

Ontario Legislation, Disallowance, Inquiry for Reps., 7291 (iv).

Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com. on Res., 8702 (v).

Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1314 (i).

BORDEN, Mr. R. L.—*Con.*

Permanent Force, Number of re-enlistments, &c. (question) 3735 (ii).

Pink Rock Wharf, on Ques. of Priv. (Mr. Crocket) 3478 (ii).

——— Ques. of Priv. (Mr. Pugsley) on Ques. of Order, 3744 (ii).

Post Office Act (ry. mail clerks, &c.) Amt. B. 197 (Mr. Lemieux) in Com. on Res., 6603; in Com., 7316 (iv).

P.E.I. Rys., Royal Junction, Surveys, Reps. &c., (M. for copies*) 3170 (ii).

Prison and Reformatories Act Amt. B. 217 (Mr. Aylesworth) in Com., 8382 (v).

Private Bills, on M. (Mr. Miller) to suspend Rules, 8362 (v).

Proportional Representation in H. of C., on M. (Mr. Monk) for Sel. Com., 140 (i).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6564, 7262 (iv).

——— on M. (Sir Wilfrid Laurier) to consider Rep. of Special Com., 6399 (iv).

——— on Procedure in Com., 6558 (iv).

Ry. Act (appeals) Amt. B. 3 (Mr. Lancaster) on Ruling (Mr. Speaker) 462 (i).

Railway Subsidies B. 266 (Mr. Graham) in Com. on Res., 8477; in Com., 8480 (v).

Restigouche Log Driving Boom Co.'s B. 150 (Mr. Reid) in Com., 6170 (iv).

Returns, Careless Arrangement of (remarks) 522 (i).

Reynolds, Award of Albert Medal for Heroism (remarks) 3209 (ii).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7741 (v).

——— on Ques. of Order (Mr. Pugsley) 7630 (v).

Rocky Mountains Park Regulations (Mr. Oliver) in Com. on Res., 6196 (iv).

R.M.C. Servants' Quarters, Occupation, &c., (Ans.) 263 (i).

Rules of the House, on prop. Res., (Mr. Lewis) 1538 (i).

——— on M. (Sir Wilfrid Laurier) for Special Com., 1441 (i).

——— in Com. on Rep., 8374 (v).

St. John Valley Railway, Legislation re Operation (remarks) 7292 (iv).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5366 (iii), 6169, 6246, 6721 (iv).

St. Peter's Indian Reserve, on Ques. of Priv. (Mr. Bradbury) 7524 (v).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com. on Res., 811 (i), on M. for 2°, 2637 (ii).

Select Standing Committees, Organization of (remarks) 343 (i).

BORDEN, Mr. R. L.—*Con.*

S.A. War, Reinstatement of Messenger in Aud. Gen.'s Office (remarks) in Com. of Sup., 8567 (v).

See 'Volunteer.'

SUPPLY—

Canals—Cornwall (lock 19, entrance) 3123 Lachine (wharfs and basins) 3105; Trent (Newmarket) 3108 (ii).

Civil Govt.—Customs (salaries) 243; Indian Affairs (salaries) 359; Labour (contingencies) 241; Railways and Canals (contingencies) 248; (salaries) 247 (i).

Customs—Outside Ports (contingencies) 8803 (v).

Fisheries (oyster culture) 8545 (v).

Geological Survey (surveys) 8555 (v).

Labour (Industrial Disputes Act) 8799; (technical education) 8800 (v).

Militia (annual drill) 8567 (v).

Mines (ore deposits) 8553 (v).

Naval Service (maintenance) 8498 (v).

N.W.M. Police (rifle ranges) 8802; (salaries) 8802 (v).

Ocean and River Service (hydrographic surveys) 8512; (steamers) 8510; (tidal service) 8512; (wireless stations) 8513 (v).

Public Works—Buildings—Ottawa (military stores) 597 (i).

Public Works—Dredging—Que. and Ont. (generally) 6133 (iv).

Public Works—Harbours and Rivers—N.B. (Kouchibouguac) 3392 (ii); (St. John) 6112 (iv).

Public Works—Harbours and Rivers—Que. (Cabano) 3879; (Cap a l'Aigle) 3881; (Carleton) 3885; (Chateauguay) 3886; (Chicoutimi) 3886; (Contrecoeur) 3889; (Doucet's Landing) 3890; (Father Point) 3891; (Fort William) 3891; (Gaspé) 3893; (Godfroy) 3898; (Grand Mechin) 3900 (ii); (Laprairie) 4224; (St. Alphonse de Bagotville) 4227; (St. Andre de Kamouraska) 4228; (Ste. Anne des Monts) 4232; (St. Charles de Caplan) 4235; (Ste. Croix) 4236 (iii).

Railways—Hudson Bay (surveys, &c.) 3067 (ii).

Railways—Miscellaneous (ry. commission) 3127; (Quebec bridge) 3071 (ii).

Railways—N.T. Ry. (construction, &c.) 5230, 5246 (iii), 8352 (v); (surveys, &c.) 3067 (ii).

Tariff Negotiations with U.S., Stmnt. re (remarks) 5278 (iii).

——— Inquiry for Stmnt., 6100 (iv).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1076 (i).

——— (remarks) on M. for Sup., 2663 (ii).

Telegraphs Act Amt. B. 234 (Mr. Lemieux) in Com., 8777 (v).

Trade Relations with U. S. on M. (Mr. Fielding) for Com. on Ways and Means, 8742 (v).

Volunteer Bounty Act Amt B. 163 (Mr. Oliver) in Com., 8399 (v).

Water Carriage of Goods B. 25 (Mr. Brodeur) on M. for 1°, 258 (i); in Com., 8004 (v).

BORDEN, Mr. R. L.—*Con.*
Water Power in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 8722 (v).
Waterways Treaty with the U. S., Cor., Reps., &c. (M. for copy) 169 (i).
——— on Order for Cor. (remarks) 1536 (i).
——— Inquiry for, 6100 (iv).
Waterways Treaty, Announcement, &c. (remarks) 2713 (ii), 4403 (iii).
——— Information *re*, 3481 (ii).
——— Progress *re* (remarks) 1802 (i).
——— Printing of Papers (remarks) 7187 (iv).
Ways and Means, on M. *re* Procedure (Mr. Fielding) 6397 (iv).
——— U.S. Trade Relations, &c., on M. (Mr. Fielding) for Com., 8742 (v).
Wharfs, Policy of Building, &c., by Govt. (remarks) in Com. of Sup., 4238 (iii).
Wharfs transferred from P. W. Dept. to Marine Dept. (remarks) in Com. of Sup., 3882 (ii), 4428 (iii).

BOYCE, Mr. A. C., *West Algoma.*
Adjudication of Claims Treaty, Ratification of (remarks) 5003, 5278 (iii).
Algoma Rural Mail Delivery, Application *re* (Ques.) 1020 (i).
Bruce Mines and Algoma Ry. Co.'s Subsidies, Applications *re* Renewal (Ques.) 3735 (ii).
Budget, The, 2093, 2102 (ii).
Clarry, L. F., Charges *re* Trent Canal Floods, &c. (remarks) 5219 (iii).
Dry Dock at Port Arthur, Application, &c. *re* Subsidy (Ques.) 104 (i).
——— Sault Ste Marie, Application *re* Subsidy, &c. (Ques.) 105 (i).
See 'Port Arthur,' 'Sault Ste Marie.'
Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8693, 8695 (v).
Fielding, Mr., Gift to: *See* 'Gifts.'
Garden River and Mississagua Indian Reserve, Construction of Trunk Roads, Negotiations *re* (Ques.) 635 (i).
Gifts to Ministers of the Crown (remarks) on M. for Sup., 8785 (v).
Goby, Mrs., Application by U. S. Immigration Dept. for Deportation (M. for cor.*) 171 (i).
Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) on M. for 2°, 8055; in Com., 8631 (v).
Indian Lands in Algoma, Sale, Terms and Conditions, &c. (Ques.) 635 (i).
International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) on M. for 2°, 2677; in Com., 3152 (ii).
Iron and Steel Bounties, Legislation *re* (remarks) 4083 (iii).

BOYCE, Mr. A. C.—*Con.*
Kensington Wharf, Negotiations *re* Purchase, &c. (Ques.) 1783, 1970 (i).
——— Expenditure (remarks) on the Budget, 2106 (ii).
——— Repairs, &c., Recommendation (Ques.) 3736 (ii).
Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2921 (ii).
McQuarrie, W. L., Apptmt. in Dom. Lands Office (Ques.) 4081 (iii).
Maxwell, Jessie Maud Mary Relief (B. 144) 1°*, 3829 (ii).
Michipicoten Docks, Plans, Estimated Cost, &c. (Ques.) 783 (i).
Ministers of the Crown, Public Gifts, &c. (remarks) on M. for Sup., 8785 (v).
Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7437 (v).
Naval Policy, Support of (remarks) 1649 (i).
Naval Service, Names of Cruisers purchased, Description, &c. (Ques.) 3931 (ii).
Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6205, 6972 (iv).
Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5296 (iii).
Obscene Literature, Skill and King, Release of from Central Prison, Par. in 'Can. Municipal Journal' *re* Political Pull (remarks) 7068 (iv).
——— Detention of Books, &c., (Ques.) 7517 (v).
——— Letter of Attorney General (remarks) on M. for Sup., 8345 (v).
Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8599 (v).
Port Arthur Dry Dock, Applications *re* Subsidy (M. for pets.*) 171 (i).
——— Inquiry for Ret., 3136 (ii).
——— (remarks) 5003 (iii).
See "Dry Docks."
Pulp and Pulp Wood Exports from Sault Ste Marie, Quantity, Value, &c. (Ques.) 836 (i).
Quebec Judges Superior Court Act Amt. B. 207 (Mr. Aylesworth) in Com. on Res., 6982 (iv).
Race Track Gambling Bill, Pamphlet *re*, on Ques. of Priv. (Mr. Miller) 3939 (ii).
Rainy River Radial Ry. Co.'s incorp. B. 108 (Mr. Conmee) in Com., 5765 (iii).
Rush-Bagot Treaty, Violation of *re* War Ships on Great Lakes (remarks) 5762 (iii), 7520 (v).
Reid, Ada Ann Relief B. 158 (Mr. Nesbitt) on M. for 2°, 5490 (iii).
Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8427, 8594 (iv).

BOYCE, Mr. A. C.—*Con.*

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5476 (iii); (amt.) 6735 (iv).

Sault Ste. Marie Dry Dock, &c., Applications *re* Subsidy, Pets., &c. (M. for copies*) 171 (i).

——— (remarks) 3833, 3945 (ii); 5278 (iii).

Sault Ste Marie Locks, Investigation *re* Accident, Rep. *re* (Ques.) 837 (i).

——— (M. for cor.*) 4315 (iii).

Sea Gull Dock, Name of Supt., Rate of Remuneration, &c. (Ques.) 106 (i).

SUPPLY—

Excise (distilleries) 1331 (i).

Public Works—Buildings—Ottawa (astronomical observatory) 418, 537; Que. (Quebec ordnance stores) 968 (i).

Public Works—Dredging (new plant) 4763 (iii).

Public Works—Harbours and Rivers—N.B. (Pink Rock) 3406 (ii); (St. John) 6116 (iv).

Public Works—Harbours and Rivers—Ont. (Byng Inlet) 3463; (Kensington) 3470; (Michipicoten) 3471; (Rainy River) 3472; (Sault Ste. Marie) 3474 (ii), 5608 (iii); (Sibley) 3475 (ii).

Technical Education (remarks) on M. for Sup., 2666 (ii).

Trade Negotiations with U. S., Par. in New York 'Sun' (remarks) 6393 (iv).

U. S. Claims: *See* 'Adjudication.'

U. S. War Vessels on Great Lakes: *See* 'Rush-Bagot.'

Voters' Lists for Thunder Bay, &c., Total Cost of Revision, &c. (Ques.) 629 (i).

BOYER, Mr. G., *Vaudreuil.*

Canada Shipping Act Amt. (B. 77) 1° m., 1441 (i).

Census, Decennial, Date of Taking (Ques.) 1371 (i).

Sauve, Mr. A., Claims for Homestead *re* S. A. Campaign (M. for cor.) 2032 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4490 (iii).

Quebec Fisheries, and Special Regulations, Licenses granted, &c. (Ques.) 6940 (iv).

Savings Bank Act Amt (B. 76) 1° m., 1440 (i).

Weekly Report, 'La Revue Hebdomadaire,' French Edition (Ques.) 3482 (ii).

BRADBURY, Mr. G. H., *Selkirk.*

C. P. R. Teulon Branch, Extension, Govt. Approval, &c. (Ques.) 1974 (ii).

Cement Merger, Protection *re* Combine (Ques.) 106 (i).
See 'Combines Bill.'

Civil Service Amt. B. 205 (Mr. Fisher) in Com., 7311 (iv).

BRADBURY, Mr. G. H.—*Con.*

Combines Investigation B. 101 (Mr. King) on M. for 3°, 7979 (v).

Fisheries Act Amt. B. 192 (Mr. Templeman) in Com., 8033, 8059 (v).

Fish Hatcheries at Berens River and Snake Island, Total Cost (Ques.) 632 (i).

Fish Hatcheries in Man., Cost of Construction, Revenue, &c. (Ques.) 384 (i).
See 'Manitoba.'

Garden Fruits and Vegetable Tariff, Pet. against Removal of Duty, &c., on M. for Sup., 6646 (iv).

Gunn, Mr. Peter, Apptmt. as Fishery Inspector at Lac Ste. Anne (Ques.) 3737 (ii).

Half-Breed Scrip, Location since Jan., 1910 (Ques.) 6937 (iv).

Hecla Island Wharf (remarks) in Com. of Sup., 4271 (iii).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5552 (iii).

Lac du Bonnet Fisheries, Letter from Mr. Wold (read) 6720 (iv).

Manitoba Fisheries Investigation, on M. for Sup., 2667, 2683 (ii).

——— Report, &c. (remarks) 3391 (ii).

——— Inquiry for, 1963, 3480 (ii). 5894 (iii).

Manitoba Fisheries Regulations, Amts. *re* (remarks) 4308 (iii).

Meat and Canned Foods Act Amt B. 193 (Mr. Fisher) in Com., 6292 (iv).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4833, 5236, 5279 (iii).

Norris, Mr. T. C., Payments to by Govt. (Ques.) 850 (i).

Red River Dredging, Quantity, Cost., &c. (Ques.) 7871, 8237 (v).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7661 (v).

St. Andrews Dam, Bridge and Approaches (Remarks) in Com. of Sup., 4263 (iii).

St. Peter's Indian Reserve, Claims *re* Speculators, &c. (Ques.) 129 (iv).

——— Instructions sent to Agent *re* Surrender (M. for copies*) 643 (i).

——— Instruction to Chief Justice Howell (remarks) 1963, 2279, 2636 (ii).

——— Instruction to J. O. Lewis *re* Patents (M. for papers*) 1380 (i).

——— Investigation by Dept. *re* Surrender, &c. (Ques.) 2296 (ii).

——— Letter from Rainway missing from Ret., Inquiry for, 1802 (i).

——— Moneys paid *re* Surrender (M. for ret.*) 1022 (i).

——— Negotiations with Mr. Wm. Frank (Ques.) 7065 (iv).

——— Payments to E. Raynor, Ques. of Priv., 7520 (v).

BRADBURY, Mr. G. H.—*Con.*

St. Peter's Indian Reserve, Ques. of Order, 7012 (iv).

——— Reps. and Accounts of Geo. Tracey (M. for copies*) 1976 (ii).

——— Rep. of A. S. Williams, &c. (M. for copy*) 3494 (ii).

——— inquiry for, 5689, 5762 (iii).

——— Report *re* Investigation, on M. for Sup. (amt.) 7009, neg. (Y. 57; N. 107) 7165 (iv).

——— Reserve, Surrender, &c. (remarks) in Com. of Sup., 348 (i).

——— Treatment *re* Surrender of Lands (M. for cor.*) 414 (i).

Selkirk Dock, Expenditure *re* (remarks) in Com. of Sup., 3884 (ii).

Stone Industry Protection, on M. for Sup., 7330 (iv).

SUPPLY—

Arts, Agriculture, &c. (animals, health) 7349 (iv), 7759 (v); (experimental farms) 7765 (v).

Civil Govt.—Indian Affairs (salaries) 348 (i).

Fisheries—(Marine fishways) 8534; salaries) 8537 (v).

Public Works—Buildings—N.B. (St. John) 592 (i).

Public Works—Buildings—Ottawa (astronomical observatory) 540; (museum) 569; (military stores) 601 (i).

Public Works — Dredging — Man. (new plant) 4771 (iii).

Public Works—Harbours and Rivers—Man. (Gimli) 4262; (Red River) 4266; (St. Laurent) 4259; (Winnipeg beach) 4267 (iii).

Public Works—Harbours and Rivers—Ont. (Victoria) 6124 (iv).

Public Works—Harbours and Rivers—Que. (Aylmer) 3864; (Gaspé) 3895 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8073 (v).

Water Power in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 8435 (v).

Winnipeg Beach Pier, Contract *re* (Ques.) 7289 (iv).

——— (remarks) in Com. of Sup., 7495 (v).

Winnipeg Wharfs (remarks) in Com. of Sup., 3864 (ii).

BRISTOL, Mr. E., *Centre Toronto.*

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6849; in Com., 6905 (iv).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1281 (i).

Lumsden Charges, Changes in Report, &c., on M. to adjn. debate, 5600 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 3°, 7567 (v).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6967 (iv).

BRISTOL, Mr. E.—*Con.*

SUPPLY—

Public Works—Buildings—Ottawa (Parliament driveway) 8175 (v).

Trade Relations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 8755 (v).

BRODER, Mr. A. *Dundas.*

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 199 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5511 (iii).

I. C. R., on Annual Stmnt., 2813 (ii).

Jams and Jellies, Analyses by Inland Rev. Dept., Prosecutions, &c. (Ques.) 3935 (ii).

Labour Hours on Public Works on M. (Mr. King, to conc. in 2nd Rep. of Com., 2913 (ii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6308 (iv).

Morrisburg Ferry Dock Co.'s incorp. (B. 177) 1°*, 5759 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3822 (ii).

New York Canals, Reciprocal Use of by Canadians (remarks) 5207 (iii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5335, 5342 (iii), 6268 (iv).

——— (remarks) 5560 (iii).

Swine Industry in Ireland, Inquiry for Rep., 5689 (iii).

Trade Relations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 8754 (v).

BRODEUR, Hon. L. P. (Minister of Marine and Fisheries) *Rouville.*

Arcand T., Dismissal as Light Keeper at Carousel (Ans.) 2288 (ii).

'Arctic,' Str., Rep. of Capt. Bernier *re* Cruise (Ans.) 1014 (i).

Bait Freezers, Govt. Assistance, Number erected, &c. (Ans.) 1593 (i).

Bait, Supply in Bay of Fundy, Complaints *re* (Ans.) 1965 (ii).

Canadian Shipping Act (inspection) Amt. B. 15 (Mr. Sinclair) on M. for 2°, 513 (i).

'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).

Imperial Defence Conference, New Zealand and Australia Papers (remarks) 207 (i).

——— (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).

——— Licenses, Number issued (Ans.) 1970 (Ans.) 1970 (ii).

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).
See 'Hestia.'

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).

St. Charles River Water Lots, Control by Quebec Harbour Commissioners (Ans.) 129 (i.)

——— Sale of to Private Individuals (Ans.) 625 (i).

Seal Cove Life Boat, Inspection *re* Condition, &c. (Ans.) 2147 (ii).

Sealing on Pacific, Negotiations *re* Closing, Compensation, &c. (Ans.) 2294 (ii).

Shipping Statistics, Number of Tons, &c. (Ans.) 445 (i).
See 'Can. Shipping.'

SUPPLY—

Civil Govt.—Marine and Fisheries (contingencies) 252; (salaries) 250 (i).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1034 (i).

Tonnage Tax imposed by U.S. on Can. Vessels on Great Lakes (Ans.) 1530 (i).

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).

——— Stmnt. (read) 1684 (i).

Wrecking Plants on Pacific and Atlantic Coasts, Tenders, Subsidies, &c. (Ans.) 444 (i).

——— on M. (Mr. Taylor) for Cor., 644 (i).

BUREAU, Hon. JACQUES (Solicitor General) *Three Rivers and St. Maurice.*

Franking Privilege and Political Literature, &c. (remarks) 7812 (v).

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).

SUPPLY—

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).

Apples grown in B.C. (remarks) in Com. on Bill, 5651 (iii).

Bank Deposits in 1909 (Ques.) 5001 (iii).

B.C. Judges, Delay in Apptmts., on M. to adjn., 16 (i).

——— (remarks) on M. for Sup., 533 (i).

B.C. Lt. Governorship, Apptmt. of Mr. F. C. Wade, Charges *re* (remarks) on M. for Sup., 529 (i).

Budget, The (remarks) 2067 (ii).

Cariboo-Chilcoten Telegraph Construction (remarks) in Com. of Sup., 6157 (iv).

Chinamen, Number paying Capitation Tax (Ques.) 7870 (v).

Chu-chu-way-ha Reserve, Instruction to Capt. Jemmett (Ques.) 5499 (iii).

——— 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).

Fiddle Reef Lighthouse Keeper, Salary Increase (remarks) in Com. of Sup., 8519 (v).

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).

Kettle River Valley Ry. Co.'s (B. 68) 1°*, 1360 (i).

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).

Nicola, Kamloops and Similkameen Coal and Ry. Co.'s (B. 32) 1°*, 380 (i).

Okanagan Lake Dredging (remarks) in Com. of Sup., 4724 (iii).

Party Patronage System, on prop, Res. (Mr. Foster) 2484 (ii).

Pests to Vegetation Prevention B. 20 (Mr. Fisher) in Com. on Res., 211 (i); in Com., 5630 (iii).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7322 (iv).

Quesnel-Fort George Mail Service, Contract *re* (Ques.) 6941 (iv).

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).

SUPPLY—

Arts, Agriculture, &c. (experimental farms) 5726 (iii), 7765 (v).

Civil Govt.—Post Office (salaries) 6681 (iv).

Ocean and River Service—B.C. (wrecking plant) 8519 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 425 (i).

Public Works—Harbours and Rivers—B.C. (Fort George canyon) 4727; (new plant) 4775; (Queen Charlotte) 4718 (iii).

Public Works—Roads and Bridges—Dom. (generally) 6152 (iv).

Public Works—Telegraph Lines—B.C. (Kamloops-Fenelon) 6156 (iv).

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.*

Agriculture, Criticisms of Deptl. Methods, Ques. of Priv.. 1364 (i).

Agriculture Dept.. Administration of. on M. for Sup.. 7204 (iv).

Arts. Agriculture, &c. (archives) 7286 (iv).

Budget, The. 2259 (ii).

——— (remarks) 2091 (ii).

Buttonshaw, George Robert Relief (B. 117) 1°*. 2710 (ii).

Central Canada Manufacturers Mutual Fire Ins. Co.'s (B. 123) on Senate Amts.. 8657 (v).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7309 (iv).

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).

Doukhobours, Comparison to hon. Member for Dauphin, Explanation *re*, 5532 (iii).

Dual Representation in H. of C. (remarks) *re* Bill, 6802 (iv).

Elevators at Terminal Points, Building, &c. (M. for cor.*) 1022 (i).

Fisheries Commission, Evidence and Rep., Completion of (Ques.) 276 (i).

Fisheries Investigation *re* Man. and N. W. Ter, Inquiry for Rep., 1302, 1801 (i), 1962 (ii).

See 'Manitoba.'

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 744 (i).

Franking Privilege and Political Literature, &c. (remarks) 7821 (v).

French Floods Relief Fund (remarks) *re* Grant, 3060 (ii).

G. T. P. Prairie Section, Return *re* Cost of, &c. (Ques.) 1783 (i).

Homestead Entries in Man., 1908-9, Original Entrants, &c. (Ques.) 1784 (i).

Horses exported from Ont. to N. W. Ters. disinfecting Stockyards (remarks) 4812 (iii).

——— (remarks) on M. for Supply, 4209 (iii).

House of Commons (B. 60) 1°*, 1102 (i).

See "Dual."

House of Commons Members, Names of (M. for ret.*) 1547 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5504; in Com., 5532; on Ques. of Order, 5540 (iii).

Lac du Bonnet Fishing Leases, Applications &c. (M. for copies*) 277 (i).

Lake Winnipegosis Fish Hatchery (remarks) in Com. of Sup., 8540 (v).

Manitoba Fisheries Commission, Ques. of Privilege *re* 'up to date,' 2151 (ii).

See "Fisheries."

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).

Oka River Forest Reserve, Pet. *re* (remarks) 8582 (v).

Ottawa and Quebec East Representation, on Amt. (Mr. Meighen) to Com. of Sup., 1324 (i).

——— Prime Minister's Resignation (remarks) 1446 (i).

Railway Commission, Apptmt. to Vacancy *re* Decease of Mr. Greenway (M. for cor.*) 1022 (i).

Rules of the House, on prop. Res. (Mr. Lewis) 1542 (i).

St. Lawrence Power Transmission B. 115, Plans *re* (remarks) 5560 (iii).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7086 (iv).

Snake Island Fish Hatchery, Contracts, &c. *re* Spawn (M. for copies*) 277 (i).

SUPPLY—

Arts, Agriculture, &c. (archives) 7286; (experimental farms) 7346 (iv).

Canals—Trent (Newmarket) conc. (M.) to reduce vote, neg. (Y. 46; N. 91) 5604 (iii).

Fisheries (fish breeding) 8540; (legal expenses) 8544; (salaries) 8536 (v).

Geological Survey (surveys) 8555 (v).

Marine (St. Lawrence ship channel) 8522; (Sorel yard property) 8523 (v).

Militia (arms, &c.) 8558 (v).

Mines (peat bogs) 8554 (v).

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., *Lév*

Quebec-Lévis Mail Service, Contract *re* (Ques.) 6390 (iv).

CARVELL, Mr. F. B., *Carleton, N.B.*

Buctouche Ry. and Transportation Co.'s incorp. (B. 215) 1°*, 7650 (v).

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).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, 510 (i).

CARVELL, Mr. F. B.—*Con.*

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2047; in Com., 2154 (ii).

Kelly, Wm. J., Kidnapping by U. S., Action of Can. Govt. *re* (remarks) 851 (i).

L'Institut de Notre Dames des Missions, incorp. B. 80 (Mr. Martin) in Com., 3143 (ii).

N. T. Ry. Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2520 (ii).

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).

——— Ques. of Order, *re* stmnt. of Judgeship, 7676 (v).

——— Ques. of Order *re* Discussion, 3847 (ii).

St. John River Valley Ry., Construction by Govt. (remarks) 123 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5319 (iii).

Scott, Elmer Walker, Relief (B. 165) 1°*, 5557 (iii).

SUPPLY—

Mail Subsidies and SS. Subventions (Canada and Cuba) 5701 (iii).

Militia (armouries) 8570 (v).

Public Works—Buildings—Que. (Joliette) 663 (i).

Railways—N. T. Ry. (construction, &c.) 5251 (iii).

Trent Canals, Damages by Floods, Charges *re* L. F. Clarry (remarks) 5216 (iii).

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).

SUPPLY—

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).

Essex Terminal Ry. Co.'s (B. 203) 1°*, 6802 (iv).

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).

——— Apptmt. of Counsel, on M. to conc. in 3rd Rep., 4073 (iii).

——— 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).

Iron and Steel Bounties B. 231 (Mr. Fielding) in Com., 8769 (v).

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).

—— Control by Govt., Ques. of Priv., 2490 (ii).

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).

SUPPLY—

Fisheries—Miscellaneous (fish transportation) 5749 (iii).

Indians—Generally (land management fund) 7840 (v).

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—

Adulteration of Food (inspectors, &c.) 1345; (prosecutions) 1349 (i).
Excise (travelling expenses) 1341 (i).
Indians—B.C. (salaries) 7858 (v).
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).
See 'Loggie,' 'Gaspereaux,' &c.

Dalhousie Dredging Contract, Charges *re* Inspectors (remarks) in Com. of Sup., 1188 (i).
—— (remarks) in Com. of Sup., 4790 (iii).

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).
See 'Loggie.'

Dredging Contracts, Fraudulent Charges, &c. (remarks) in Com. of Sup., 1180 (i).

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);

CROCKET, Mr. O. S.—*Con.*

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., 2193 (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).

CROSBY, Mr. A. B.—*Con.*

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).

CURRIE, Mr. J. A.—*Con.*

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).

CURRIE, Mr. J. A.—*Con.*

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).

DANIEL, Mr. J. W.—*Con.*

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) 4758, 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).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com. 8019 (v).

DELISLE, Mr. M. S., *Portneuf.*

Pilots' Association Fund, Receipts and Expenditure, &c. (Ques.) 7517 (v).

DEMERS, Mr. M. J., *St. John and Iberville.*

Bank Act Amt. (B. 56) 1° m., 922 (i); 2° m., 2035 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4396 (iii).

DEVLIN, Mr. E. B., *Wright.*

Georgian Bay Canal, Construction, &c., on M. (Mr. White) for O. C.'s, &c., 3536 (ii)

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1258 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2914 (ii).

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).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5463 (iii).

DOHERTY, Mr. C. J., *Montreal, St. Anne.*

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. on Res., 6952 (iv).

Combines Investigation B. 101 (Mr. King) in Com., 6931 (iv).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1276 (i).

Escheats to the Crown B. 206 (Mr. Aylesworth) in Com., 8387 (v).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8461 (v).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6297 (iv).

Merchants Bank of Canada Pension Fund incorp. (B. 13) 1°*, 3133 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4124, 4129 (iii); in Com., 7419 (v).

——— on Order for Com. (remarks) 6948 (iv).

Quebec Judges Superior Court Act Amt. B. 207 (Mr. Aylesworth) in Com. on Res., 6981 (iv).

Trust and Loan Co. of Canada (B. 98) 1°*, 1878 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6385 (iv); in Com., 8086, 8399 (v).

Water Carriage of Goods B. 101 (Mr. Brodeur) in Com., 8009, (amt.) 8025 (v).

Water Power in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 8437 (v).

DONNELLY, Mr. J. J., *South Bruce.*

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 731 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4618 (iii).

SUPPLY—

Public Works—Buildings—Ottawa (Museum) 569 (i).

Walkerton and Lucknow Ry. Co.'s (B. 37) 1°*, 380 (i).

DOUGLAS, Mr. J. M., *Strathcona.*

Calgary and Edmonton Ry. (B. 89) 1°*, 1731 (i); in Com., 2671 (ii).

Edmonton, Dunvegan and B. C. Ry. Co.'s (B. 78) 1°*, 1528 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8095 (v).

DUBEAU, Mr. J. A., *Joliette.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4611 (iii).

ECREMENT, Mr. A., *Berthier.*

Address, The, in Ans. to His Ex.'s Speech (moved) 22 (i).

EDWARDS, Mr. J. W., *Frontenac.*

Armouries and Drill Halls, Erection of, Cost of Site, Places for Construction, &c. (M. for ret.*) 1546 (i).

——— Inquiry for Ret., 5689 (iii), 8742 (v).

Budget, The, 2227 (ii).

——— Remarks, 1817 (i).

Canada Shipping Act Amt. (B. 74) 1° m., 1362 (i); 2° m., 2158 (ii).

Cartwright, Sir Richard, Terms of Lease of Land *re* Timber, &c. (Ques.) 2717 (ii).
See 'Frontenac.'

Combines Investigation Act Amt. B. 101 (Mr. King) on M. for Com. on Res., 6806 (iv).

Elliott Bros. & R. Carson, Amounts paid to (Ques.) 1974 (ii).

——— Payments to *re* Supplies, &c. (M. for ret.*) 2150 (ii).

Fish Fry Application Forms (remarks) 3058 (ii).

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 752 (i).

Franking Privilege and Political Literature, &c. (remarks) 7806 (v).

French Floods Relief Fund (remarks) *re* Grant, 3062 (ii).

Frontenac County Mail Contracts, Routes, Revenues, &c. (Ques.) 5105 (iii).

——— Pets. *re* (Ques.) 7066 (iv).
See 'Post Office.'

Frontenac County, Lands held by Govt. for Military Purposes, &c. (Ques.) 1371 (i).

——— Property leased to Sir R. Cartwright, Rental, &c. (Ques.) 262 (i), 2717 (ii).

Green, John, Relief (B. 201) 1°*, 6802 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5528; in Com., 5536, 5831, 5879 (iii).

Kingston Battery Soldiers, Payment *re* Services for Moving Pictures (Ques.) 1193 (i).

Kingston Mills Bridge, Tenders *re* Construction, &c. (Ques.) 263 (i).

Labour, Hours on Public Works, B. 21 (Mr. Verville) on M. for 2°, 1217 (i).

Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2910 (ii).

Mail Contract with Capt. Noonan, Remuneration *re* (Ques.) 1379 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4064, 4083, 4937 (iii); in Com., 7481 (v).

EDWARDS, Mr. J. W.—*Con.*

Naval Defence Bill, Report of Speech in Toronto 'Globe' (personal explanation) 4533 (iii).

Ordnance Store, Kingston, Lease of Building from Clarified Milk Co., Repairs, &c. (Ques.) 5781 (iii).

Post Offices in Frontenac County (remarks) in Com. of Sup., 6654 (iv).
See 'Frontenac.'

Richibucto Wharf Purchase (remarks) in Com. of Sup., 3847 (ii).

Royal Military College Act Amt. B. 180 (Sir Frederick Borden) in Com. on Res., 5788 (iii).

R. M. C. Riding Establishments, Dimensions, Cost, &c. (Ques.) 381 (i).

R. M. College, Servants' Cottages, Removal of (Ques.) 5781 (iii).

——— Completion, Total Cost, Occupation, &c. (Ques.) 263 (i).

Sullivan & Langdon, Messrs., Amounts paid to for Public Works, Kingston (Ques.) 1974 (ii).

——— (M. for ret.*) 2150 (ii).

SUPPLY—

Arts, Agriculture, &c. (animals' health) 7757 (v); (census) 7374; (cold storage) 7363; (exhibitions) 7389; (seeds) 7390 (iv).

Canals—Trent (Newmarket) 3118 (ii); Welland (surveys) 8821 (v).

Civil Govt.—Post Office (salaries) 6654 (iv).

Mail Subsidies and SS. Subventions (Canada and Cuba) 5696; (Riviere du Loup and Tadousac) 5713 (iii).

Public Works—Buildings—Ont. (Chesley) 7173; (Elora) 7176; (Fergus) 7180 (iv); (Kingston) 7505; (Listowel) 7507; Ottawa (deplt., new) 7170 (v).

Public Works—Buildings—Que. (Joliette) 663; (Maisonneuve) 673; (Marieville) 697; (Megantic) 700; (Montreal P. O.) 703; (Plessisville) 704 (i).

Public Works—Harbours and Rivers—N.B. (St. John) 6111 (iv).

Public Works—Harbours and Rivers—N.S. (Port Hood) 1162; (Port Maitland) 1171; (Shelburne) 1176; (Sydney Mines) 1178; (West Dublin) 1180 (i).

Public Works—Harbours and Rivers—Ont. (Byng Inlet) 3461 (ii); (Port Arthur and Fort William) 5735 (iii).

Public Works—Miscellaneous (Dale, Mr. Sydney) 6168; (Lake Nipissing floods) 6164; (McGee, Hon. D'Arcy, monument) 6159; (telephone memorial) 6161 (iv).

Public Works—Telegraph Lines—Alberta (Limerick-Gravelburg) 6154; B.C. (Kamloops-Okanagan) 6156 (iv).

Quarantine (Tracadie) 7391 (iv).

U. S. Training Ships, Passage through Canals, Deptl. Consultations, &c. (Ques.) 108 (i).

——— (M. or O.C.'s) 135 (i).

'Whig,' Kingston, Payments to by Govt. *re* Printing (Ques.) 1778 (i), 2428 (ii).

——— (M. for ret.*) 3494 (ii).

EDWARDS, Mr. J. W.—*Con.*

Williamsville Post Office Revenue, Pets. *re* Removal, &c. (Ques.) 7287 (iv).

Wolfe Island Dredging (remarks) in Com. of Sup., 1162 (i), 3461 (ii), 6164 (iv).

EMMERSON, Hon. H. R., *Westmoreland.*

Banking Act, Consideration of (remarks) 6947 (iv).

Gaspereau Dredging (remarks) in Com. of Sup., 4781 (iii).

Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8635 (v).

Improved Paper Machinery Co.'s B. 67 (Mr. Worthington) in Com., 3138 (ii).

I.C.R. Branch Lines B. 17 (Mr. Graham) on Order for 2°, 1803 (i); on M. for 3°, 2191 (ii); on Senate Amts., 8403 (v).

I.C.R., Repairs to Car 37, &c. (Ques.) 2286 (ii).

——— Sleeping Cars, Tenders *re* Construction, &c. (Ques.) 4847 (iii).

James Bay and Eastern Ry. Co.'s incorp. B. 128 (Mr. Girard) in Com., 5763 (iii).

Mails between Montreal and Lower Provs., Delays, &c. (remarks) 8581 (v).

Manitoulin and North Shore Ry. Co.'s B. 113 (Mr. Tolmie) in Com., 3431 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5003 (iii).

——— Vote *re* Amt. (Mr. Northrup) Ques. of Priv., 5195 (iii).

Naval Service, Appointments, &c. (remarks) 8838 (v).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6971 (iv).

Nelson River Ry. Co.'s B. 52 (Mr. Rutan) in Com., 4824, 5288 (iii).

Prince Albert and Hudson Bay Ry. Co.'s B. 69 (Mr. Neely) in Com., 4753 (iii).

Railway Committee, on M. (Mr. Lancaster) to reduce Number, 8735 (v).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Reid) in Com., 6171 (iv).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8587 (v).

Rural Mail Boxes, Destruction of, Punishment *re* (Ques.) 630 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5337 (iii), 6255 (iv).

——— Original Report, Inquiry for, 5559 (iii).

SUPPLY—

Canals—Trent (Newmarket) 3109 (ii).

Public Works—Dredging—Mar. Provs. (generally) 4781; Generally (new plant) 4744, 4759 (iii).

Public Works—Harbours and Rivers—N. B. (Moncton) 3394; (Pink Rock) 3397 (ii); (St. John) 6108 (iv).

EMMERSON, Hon. H. R.—*Con.*

SUPPLY—*Con.*

Public Works—Harbours and Rivers—Que. (Three Rivers) 4250 (iii).

Railways—N. T. Ry. (construction, &c.) 5255 (iii).

Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3434 (ii).

ETHIER, Mr. J. A. C., *Two Mountains.*

Debates, Official, on M. (Mr. Gervais) to conc. in 2nd Rep. of Com., 3055 (ii).

Montreal Central Terminal Ry. Co.'s (B. 44) 1°*, 515 (i).

Ottawa Valley Ry. Co.'s (B. 64) 1°*, 1192 (i).

FIELDING, Hon. W. S. (Minister of Finance) *Shelburne and Queens, N.S.*

Alien Labour Law Violation, &c. (remarks) 4813 (ii).

Aud. Gen.'s Rep., Vols. I and III (presented) 7 (i).

——— on Inquiry for, 1445 (i).

——— Vol. II. (presented) 1730 (i).

Bank Act Amt., Consideration of (remarks) 3479 (ii), 6947 (iv).

——— Expiration of, Issue of Currency (Ans.) 2950 (ii).

——— Inquiry for, 2061 (ii), 4307 (iii).

Bank Act Amt. B. 56 (Mr. Demers) on M. for 2°, 2038 (ii).

Bank Deposits in 1909 (Ans.) 5001 (iii).

Bank Shareholders List, &c. (Ans.) 4846 (iii).

Barriefield Camp, Objections *re* Site, Removal of Ranges, &c. (Ans.) 3934 (ii).

B. C. Judges, Delay in Apptmts. (remarks) on M. for Sup., 532 (i).

B. C. Public Works—Expenditure by Govt. (remarks) in Com. of Sup., 4285 (iii).

Budget, The (annual statement) 1446 (i).

——— (remarks) 1002 (i).

Canadian Associated Press Subsidy (B. 228), prop. Res., 8239; in Com. on Res., 8680 (v).

Canadian Coinage, Amount for ten years, Cost, Profit, &c. (Ans.) 1967 (ii).
See 'Currency.'

Cement Merger, Protection *re* Combine, &c. (Ans.) 107 (i).

Central Canada Manufacturers Mutual Fire Ins. Co.'s (B. 123) on Senate Amts., 8657 (v).

Chief Justice, Apptmt. of by Govt., on Ques. of Priv. (Mr. Crothers) 7293 (iv).

Civil Govt., Increased Expenditures (remarks) on M. for Sup., 216 (i).

Civil Service Act Amt. (B. 205) on Senate Amts., 8772 (v).

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6889 (iv); on M. for 3°, 7992 (v).

FIELDING, Hon. W. S.—*Con.*

Combines Bill, on Ques. of Order (Mr. Sproule) *re* Customs Laws, 8002 (v).

Compensation to Alta. and Sask. *re* Public Lands, &c. (Ans.) 3291 (ii).

Congregational Union of Canada incorp. B. 142 (Mr. A. Haggart) in Com., 4754 (iii).

Conservation of National Resources Commission, Names of Members (Ans.) 1197 (i).

Criminal Code B. 41 (Mr. Lennox) on Order for Com. (remarks) 1209 (i).

Currency Act Amt. (B. 195) in Com. on Res., 6188; in Com., 6620 (iv).

Currency, Govt. Assistance to Clean Circulation (Ans.) 8238 (v).

Customs Tariff Act Amt. (B. 233) 1° m., 8763; 2° m., 8841, 8849 (v).

Debates, Official, on M. (Mr. Gervais) to conc. in 2nd Rep., 3053, 3914 (ii).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3875 (ii).

Dry Dock Subsidies (B. 229) in Com. on Res., 8687; in Com., 8763 (v).

——— (M.) To discharge Order, 8003 (v).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1286 (i).

Estimates, The (1909-10)—(presented) 154 (i).

——— Suppl. (1910)—(presented) 377 (i), 2949 (ii), 5277 (iii).

——— Suppl. (1911)—(presented) 7519, 8577 (v).

——— Suppl. (remarks) 3987 (iii).

Financial Statement—The Budget, 1446 (i).

Fisheries Commission, Report (remarks) 2061 (ii).

Fort Henry Reserve, Condition at Time of Lease, &c. (Ans.) 3934 (ii).

French Floods, Relief Fund (remarks) *re* Grant, 3059 (ii).

——— Tel. from Sir Francis Bertie (read) 3295 (ii).

French Treaty B. 12, in Com. on Res., 172; 1°*, 200; 2° m., 705; agreed to (Y. 107; N. 33) 780; 3° m., 812, 816, 822 (i).

——— (clerical error) Amt. (B. 126) 1° m., 2486 (ii); 2° m., 6620 (iv).

French Treaty, on Inquiry for Papers (remarks) 6 (i).

——— Minimum Duties, Trade Arrangements, &c. (Ans.) 8665 (v).

——— Par. in Press *re* Consideration in France (remarks) 1690 (i).

——— Provision *re* Termination (Ans.) 276 (i).

——— Ratification of (announcement) 2797 (ii).

——— Similar Treatment to Germany (Ans.) 1196 (i).

FIELDING, Hon. W. S.—*Con.*

Gambling Bill, Pamphlet *re*, on Ques. of Priv. (Mr. Miller) 3944 (ii).
See 'Race Track.'

Garden Fruits and Vegetables, Pet. *re* Removal of Duty (remarks) on M. for Sup., 6648 (iv).

Georgian Bay Canal, Construction, &c., on M. (Mr. White) for O. C.'s, 3573 (ii).

German Surtax, Error in Memorandum (remarks) 4712 (iii).

——— Explanation *re* Negotiations, &c., (remarks) 3679 (ii).
See 'French Treaty.'

German Tariff, Agreement with Canada (remarks) 3830 (ii).

——— Similar Treatment as France (Ans.) 785 (i).

Gold Specie, Statutory Provision *re* Reserve (Ans.) 3295 (ii).

Govt. Annuities Act Amt. (B. 155) 1°*, 4922 (iii); 2° m., 6329; in Com., 6330 (iv).

Govt. Annuities Act Amt. (B. 212) 1° m., 7512 (v).

Govt. Business (remarks) 926 (i).

——— Precedence on Monday (M.) 3829 (ii).

Govt. Dredges, Purchase of, Inquiry *re* Ret. (remarks) 3945 (ii).

Grain Trade from West, Tel. *re* Terminal Elevator Co. (remarks) 8240 (v).

G.T.P. Bonds guaranteed to 31st March, 1910 (Ans.) 8237 (v).
See 'Natl. Transcl.'

Gunn, Mr. Peter, Apptmt. as Fishery Inspector (Ans.) 3737 (ii).

House of Commons Staff, Increases, &c. (M.) 8830 (v).

Insurance Act Amt. (B. 166) 1°*, 5617 (iii); 2° m., 7940; in Com., 7943, 8459 (v).

Insurance Bill, Consideration of (remarks) 5893 (iii).

——— Decision of Judge Leet, Appeal by Govt. (Ans.) 787 (i).

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1111 (i).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, 511 (i).

——— Laying Letters on Table (remarks) 502 (i).

Iron and Steel Bounties (B. 231) in Com. on Res., 8705; in Com., 8764 (v.)

Iron and Steel Bounties, Legislation *re* (remarks) 4083 (iii).

Japan Trade Commission, Cor., &c., with Mr. W. T. R. Preston, on M. (Mr. Monk) for copies, 331 (i).

Johnson, Mr. Arthur, Engineer on 'Reliever,' Certificate, &c. (Ans.) 3734 (ii).

Judicial Apptmts. in N.S. (remarks) 623 (i).

FIELDING, Hon. W. S.—*Con.*

Loans, Temporary, since June 1, 1909 (Ans.) 169 (i).

——— since beginning of present Session, Conditions, &c. (Ans.) 1206 (i).

——— Outstanding on March 1st, 1910 (Ans.) 8237 (v).

Linotype Machines, Removal of Duty (Ans.) 6391 (iv.)

Lobster Fisheries Rep., on M. (Mr. Sinclair) to conc., 8230 (v).

Lumsden Charges: *See* 'N.T. Ry.,' &c.

Mail Delivery, Free, Closing of Distribution Offices (Ans.) 1193 (i).

Militia Stores, Insurance *re* (remarks) in Com. of Sup., 972 (i).

Montmagny Fire Insurance Co.'s B. 51 (Mr. Lavergne) on M. for 3°, 2280 (ii).

Montreal Govt. Weigher, Apptmt of (Ans.) 1196 (i).

Montreal Harbour Commission, Subsidy (B. 191) Prop. Res., 5623; in Com. on Res., 5898; 1° m., 5904 (iii); in Com., 6601 (iv).

National Battlefields Commission, Purchase of Property in Quebec (Ans.) 3671 (ii).

——— Total Expenditure (Ans.) 787 (i).

N.T.Ry. Classification, Lumsden Charges, on M. (Mr. Clarke) to conc. in 2nd Rep. of Com. 3985 (iii).

——— on Prop. Res. (Mr. Lennox) Ques. of Order, 8309 (v).

——— Payments to Counsel (remarks) 8841 (v).

——— Payment of Fees, &c., on M. (Mr. Macdonald) 8832 (v).

Natural Resources: *See* 'Conservation.'

Naval Defence B. 95 (Sir Wilfrid Laurier) in Com., 7467; on M. for 3°, 7535 (v).

Naval Defence Documents, on Inquiry for, 2797 (ii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5303 (iii).

Northern Mortgage Co. of Canada B. 33 (Mr. A. Haggart) on M. for 3°, 2279 (ii).

Old Age Pensions: *See* 'Govt. Annuities.'

Ottawa Improvement Commission (B. 230) (prop. res.) 6801; in Com. on Res., 8697; in Com., 8770 (v).

Ottawa Improvement Commission, Expenditures *re* (Ans.) 8663 (v).

Pensions: *See* 'Govt. Annuities.'

Pilots' Association, Receipts and Expenditures, &c. (Ans.) 7517 (v).

Pink Rock Wharf, on Ques. of Priv. (Mr. Crocket) 3478 (ii).

——— on Ques. of Order (Mr. Pugsley) 3744 (ii).

Port Arthur Dry Dock: *See* 'Dry Dock.'

FIELDING, Hon. W. S.—*Con.*

Preston, W. T. R., Claims *re* Libel Suits, on M. (Mr. McKenzie) for Cor. 656 (i).

P.E.I. Tunnel, Surveys, &c., on M. (Mr. Warburton) for Reps., 289 (i).

Public Accounts Com., on M. (Mr. Warburton) to ref. Aud. Gen's Rep., 604 (i).

Quarantine Boat for Halifax Harbour, Contract *re* Construction (Ans.) 3292 (ii).

Quarantine Frontier Inspectors, Duties, Reps. &c, (Ans.) 1208 (i).

Quebec Bridge Ry. Co., Payments to by Govt., Rate of Interest, &c. (Ans.) 628 (i).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6500, 6569 (iv).

——— Reintroduction of Bill 6 (remarks) 7258, 7263 (iv).

See 'Gambling.'

Railway Men, Rules *re* Employment (remarks) 8587 (iv).

Railway Subsidies (prop. res.) 8239 (v).

Representation in H. of C. of Mar. Provs., Memorials, &c., on M. (Mr. Warburton) for copy, 654 (i).

Royal Guardians B. 120 (Mr. Rivet) in Com., 7257 (iv).

Royal Mint, Total Loss *re* Operation, Amount of Silver, &c. (Ans.) 784 (i).

See 'Currency.'

Rules of the House, on prop. Res. (Mr. Lewis) 1539 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5394 (iii).

St. Peter's Indian Reserve, Ques. of Order, 7148 (iv).

——— on Ques. of Priv. (Mr. Bradbury) 7522 (v).

Saskatchewan Provl. Subsidies, Aggregate Payments (Ans.) 3167 (ii).

Sault Ste. Marie Dock Subsidies (remarks) 3945 (ii).

See 'Dry Dock Bill.'

Seed Grain Advances, Total Sum refunded (Ans.) 630 (i).

Senate Bills, Numbering, &c. (remarks) 6177 (iv).

S.A. Volunteers Bounty Act Amt. B. 87 (Mr. Turriff) on M. for 2°, 2056 (ii).

S.A. War, Reinstatement of Messenger *re* Aud. Gen.'s Office (remarks) in Com. of Sup., 8569 (v).

Supply (M.) for Com., 93 (i).

Supply B. 173 (M.) for Com. on Ways and Means, 5529; in Com., 5606; 1° m., 5626 (iii).

——— (B. 196) 1°*, 6398 (iv).

——— (B. 235) in Com., 8856 (v).

FIELDING, Hon. W. S.—*Con.*

SUPPLY—

Canals—Miscellaneous (Mrs. J. Gordon, allowance) 5616 (iii).

Charges of Management (foreign coin) 5607 (iii).

Civil Govt.—Aud. Gen. (salaries) 7768 (v); Finance (salaries) 335 (i); Interior (salaries) 7768; Militia (salaries) 7767; Secretary of State (salaries) 7767; Trade and Commerce (salaries) 8808 (v).

Customs—Outside Ports (contingencies) 8805 (v); Outside Service (salaries) 1358 (i).

Excise (distilleries) 1335 (i).

Geological Survey (assay office, Vancouver) 7769 (v).

House of Commons (library) 8802; (sessional indemnities) 7771 (v).

Mail Subsidies and SS. Subventions (Atlantic ports to Australia) 8811; (Canada and Australia) 8808 (v); (Canada and Cuba) 5692 (iii), 8810; (Can. and G. B.) 8809 (v); (Canada and Mexico) 5690 (iii), 8809; (Halifax and Liverpool) 8809; (Prince Rupert and Queen Charlotte) 8809; (Rivière du Loup) 8810 (v).

Militia (monuments) 8576 (v).

Miscellaneous (conservation commission) 7806; (Naturalization Act) 7865; (royal mint) 7866; (royal society grant) 7865 (v).

Public Works—Buildings—N.S. (Halifax) 574; (Shelburne) 579 (i).

Public Works—Buildings—Ont. (Mitchell) 7508 (v).

Public Works—Buildings—Ottawa (eastern block) 572; (museum) 567; (royal mint) 558 (i).

Public Works—Buildings—Que. (Maricville) 688; (Quebec customs) 827 (i).

Public Works—Buildings—Sask. and Alberta (immigration) 5607 (iii).

Public Works—Dredging—Mar. Provs. (generally) 4783, 4805 (iii).

Public Works—Harbours and Rivers—B.C. (Coquitlam) 4293 (iii).

Public Works—Harbours and Rivers—N.S. (Burk's Head) 982; (Diligent) 989; (Piper's Cove) 1160; (Port Hood) 1162; (Port Maitland) 1170 (i).

Railways (Quebec bridge) 3085 (ii).

Senate (sessional indemnities) 7771 (v).

Trade and Commerce (commercial agencies) 8810; (Chinese Immigration Act) 8810; (old age annuities) 8811 (v).

Tariff Commission, 1906, Date of Meeting at Middleton, N.S. (Ans.) 1021 (i).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1089 (i).

Temporary Loans: *See* 'Loans.'

Trade Representatives in Germany, Apptmt. of (remarks) 5278 (iii).

See 'Cus. Tariff Bill,' 'German,' &c.

Union Life Assurance Co.'s B. 36 (Mr. McGiverin) in Com., 2100 (ii).

U.S. Tariff Negotiations *re* Canada (remarks) 4713, 5278, 5690, 5762, 5891 (iii).

——— (M.) for Com. on Ways and Means, 5942; Resolution laid on Table, 5967 (iv).

FIELDING, Hon. W. S.—*Con.*

U. S. Tariff, Importations, &c., on Inquiry for (Mr. R. L. Borden) 6100 (iv).

——— Maximum Tariff, Decision *re* Canadian Exports (remarks) 3058 (ii).

——— Minimum Tariff, Negotiations *re* (remarks) 3480 (ii).

——— Par. in New York 'Sun' (remarks) 6393 (iv).

——— on Ques of Priv. (Mr. Lennox) 5760 (iii).

Vancouver, Victoria and Eastern Ry. and Nav Co.'s B. 99 (Mr. Burrell) on M. for 2°, 2101 (ii).

Ways and Means (M.) for Com., 93 (i).

——— The Budget, 1446 (i).

——— Supply Bill (M.) *re* Procedure, 6397 (iv).

Ways and Means, Tariff Negotiations with U. S. (M.) for Com., 5942 (iv), 8705; in Com., 8762 (v).

FISHER, Hon. S. (Minister of Agriculture) *Brome.*

Agricultural Bulletins, Number distributed, &c. (Ans.) 789 (i).

Agriculture Dept., Administration of, on M. for Sup., 7191 (iv).

Agricultural and Experimental Farms, Deptl. Rep. (presented) 7 (i).

Agricultural Machinery Imported into Canada. 1909 (Ans.) 383 (i).

Alfalfa: *See* 'Seed Control Bill.'

Animal Feeding, Examination of Inspecting Vet. Surgeons (remarks) *re* Question, 6941 (iv).

Apples grown in Quebec Prov., (remarks) in Com., on Bill, 5635 (iii).

Cargo Inspections, Names of Ports, Results, &c. (Ans.) 642 (i).

Census for 1911, Estimated Cost, &c. (Ans.) 1371 (i), 2429 (ii).

Civil Servants in Outside Service, Increase of Salaries (Ans.) 845 (i).

——— Legislation *re* (remarks) 6947 (iv).

Civil Service Act Amt. (B. 205) Prop. Res., 6608; in Com. on Res., 6948; in Com., 7295 (iv).

Conservation Commission, Committee, Names, Residences, &c. (Ans.) 4845 (iii).

Conservation of Natural Resources (B. 185) Prop. Res., 5887; in Com. on Res., 5885; 1°*, 5885 (iii); 2° m., 6332; in Com., 6338, 6359; 3° m., 6619 (iv).

Contagious Diseases, Expenditure *re* Prevention, &c. (Ans.) 1379 (i).

Criminal Code (copyright) Amt. B. 41 (Mr. Lennox) on M. for 1°, 430, 806 (i).

Currency Act Amt. (Prop. Res.) 2632 (ii).

FISHER, Hon. Sydney.—*Con.*

Diseases to Vegetation: *See* 'Pests,' &c.

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 5773 (iii).

Experimental Farm at Agassiz, B.C., Dom. Contribution *re* Construction, &c. (Ans.) 2295 (ii).

——— Ottawa, Number of Horses, &c. (Ans.) 5002 (iii).

See 'Poultry.'

Farm and Dairy Produce, Quantity exported for 1909 (Ans.) 1017 (i).

'Farm Weeds,' Expenditure *re* Preparation, Printing, &c (Ans.) 1965 (ii).

Foreign Capital invested in Canada, Location, &c. (Ans.) 631 (i).

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 735 (i).

See 'Milk.'

Historical Manuscripts Commission, Meetings, Results, &c. (Ans.) 790 (i).

Holstein and Jersey Cattle at Experimental Farms (Ans.) 4309 (iii).

Horses imported into N.W. from Ont., Examination of (remarks) 4210, 4813 (iii).

Insects Bill: *See* 'Pests,' &c.

Inspection and Sales Act (bread) Amt. Bill, on M. (Mr. Currie) to introduce, 517 (i).

Inspection and Sale Act (cargoes, &c.) Amt. (B. 40) 1° m., 429 (i).

Inspection and Sale Act (B. 51) in Com. on Res., 808 (i).

See 'Milk Glass.'

Juvenile Offenders, Number condemned in Can. (Ans.) 1374 (i).

McConnell, Dr., Emplymt. by Govt. (Ans.) 443 (i).

Manitoba Fisheries Investigation, on M. for Sup., 2691 (ii).

Man. Grain Act Amt. (B. 49) prop. Res., 520 (i); in Com. on Res., 657; 1°*, 661 (i); on Order for 2°, 5674 (iii).

Meat and Canned Foods Act Amt. (B. 193) 1° m., 5929 (iii); 2° m., 6279; in Com., 6279; 3° m., 6618 (iv).

Militia Regulations, Latest Edition, &c. (Ans.) 639 (i).

Milk Glass Inspection (B. 184) prop. Res. 5623; in Com. on Res., 5884 (iii); in Com., 6005-6 (iv).

N. T. Ry. Classification, on M. (Mr. Foster) that Hse. adjourn, 2562 (ii).

Natural Resources: *See* "Conservation."

Northern Quebec Colonization Ry. Co.'s incorp. B. 152 (Mr. Turcotte) in Com., 5722 (iii).

Pests to Vegetation, Prevention (B. 20) Prop. Res., 200 (i); in Com. on Res., 209; 1°* of B., 212 (i); in Com., 5627 (iii).

FISHER, Hon. Sydney.—*Con.*

Population, Method of Estimating, &c. (Ans.) 4846 (iii).

Pork Industry, Commission *re* Investigation Report *re* (Ans.) 5782 (iii).

Poultry Dept., Experimental Farm, Number of Employees, &c. (Ans.) 4519 (iii).

See "Supply."

Quarantine Boat Service at Halifax, Tenders re Construction, &c. (Ans.) 2429 (ii).

Quarantine Inspectors for Frontier, Cor. *re* Apptmts. (Ans.) 5561 (iii).

Rabies, Number of Cases reported to Govt. (Ans.) 2926 (ii).

——— Regulations by Dept. of Agriculture (remarks) 4532 (iii).

Restigouche Boom Co.'s B. 150 (Mr. J. Reid) in Com., 6139 (iv).

Rocky Mountain Forest Reserve, on Inquiry for Tracing (remarks) 171 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5444 (iii).

St. Peter's Indian Reserve, on Ques. of Priv. (Mr. Bradbury) 7525 (v).

Seed Control Act (alfalfa) Amt. (B. 16) 1° m., 204; M. to discharge order for 2°, 656 (i).

Seed Control Act Amt. (B. 55), in Com. on Res., 808, 1°*, 811 (i); 2° m., 2637; in Com., 2638 (ii).

S. A. War, Expenditure by Canada for Imp. Govt. (Ans.) 632 (i).

SUPPLY—

Arts, Agriculture, &c., (animals' health) 7755 (v); (archives) 7284; (Can. exhibit), London) 7380; (census) 7373 (iv), 7763 (v); (Charlottetown exhibition) 7766 (v); (cold storage) 7362, 7383; (dairying and fruit) 7362; (Dom. exhibitions) 7385 (iv); (exhibitions) 5728 (iii), 7389; (experimental branch stations) 7392 (iv); (experimental farms) 5725 (iii), 7333 (iv), 7764 (v); (farm bulletins) 7377; (fumigating stations) 7380 (iv); (live stock industry) 7748 (v); (Patent Record) 7371; (seeds) 7390; (tobacco) 7380 (iv).

Civil Govt.—Agriculture (contingencies) 226; (experimental farms) 227 (i); (extra clerks) 7764 (v); (salaries) 219 (i).

Fisheries—Miscellaneous (usn transportation) 5748 (iii).

Immigration (agencies) 5729 (iii).

Mail Subsidies and SS Subventions (Riviere du Loup and Tadousac) 5713 (iii).

Miscellaneous (Can. Handicrafts guild) 7863 (v); (McGee, Hon. D'Arcy, monument) 6160 (iv).

Post Office—Outside Service (R. G. Mercer) 5755 (iii).

Public Works—Buildings—Que. (Grosse Isle) 665; (immigration sheds) 960; (Rock Island) 948 (i).

Quarantine (Public Health Act) 7392; (steamers) 7392 (iv); 7766 (v); (Tracadie 7391 (iv).

FISHER, Hon. Sydney.—*Con.*

SUPPLY—*Con.*

Railways—Miscellaneous (ry. commission) 3129 (ii).

Trade and Commerce (Grain Inspection Board 5714; (trade commissioners) 5714 (iii).

Swine Commission, Report of (Ans.) 2429 (ii).

—— Inquiry for Rep., 5689 (iii).

Technical Education (remarks) on M. for Sup. 2665 (ii).

Thornton, Dr., Employmt. by Govt. (Ans.) 626 (i).

Tuberculosis, Prevention of, on prop, Res. (Mr. Perley) 1432 (i).

Veterinary Service, B.C., Vacancies, &c. (Ans.) 132 (i).

Ways and Means Com. (M.) to report Progress, 2277 (ii).

FORGET, Mr. R. *Charlevoix.*

Richelieu and Ontario Nav. Co.'s (B. 114) 1°*, 2221 (ii).

FORTIER, Mr. E., *Lotbiniere.*

SUPPLY—

Public Works—Harbours and Rivers—Que. (Ste. Croix) 4237 (iii).

FOSTER, Hon. G. E., *North Toronto.*

Address, The, 60 (i).

Alcoholism, International Congress, Canadian Representation (remarks) 521 (i).

Analytical Index to Hansard (Ques.) 2138 (ii).

Annuities Act, Expenditure *re* Adminstration, Receipts, &c. (Ques.) 2142 (ii).

Bank Act Amt., Consideration of (remarks) 3479 (ii), 4307 (iii).

Budget, The (reply) 1474 (i).

—— Remarks, 1002 (i).

Canadian Coinage, Amount for ten years, Cost, Profit, &c. (Ques.) 1967 (ii).

—— Amount of U.S. Silver, &c. (M. for ret.*) 2150 (ii).

Canadian Navy, Number of Applications *re* Positions, &c. (Ques.) 2717 (ii).

See 'Naval,' &c.

Chartered Banks gone into Liquidation since 1888, &c. (M. for ret.*) 3170 (ii).

Civil Government Expenditures, Increase of, &c. (remarks) on M. for Sup., 212 (i).

Civil Service Employees, Number in 1909, Total Cost (M. for ret.*) 4315 (iii).

Coal Oil Lands, Areas sold, leased, Names, &c. (M. for ret.*) 277 (i).

Commissions appointed by Govt. since 1896, Expenditures *re* (M. for ret.) 1977 (ii).

Dom. Lands Act (homesteads) Amt. Bill, on M. (Mr. Turriff) to introduce, 1689 (i).

FOSTER, Hon. G. E.—*Con.*

Exhibitions, Foreign, Canadian Participation *re* Expenditure by Canada (M. for ret.*) 1977 (ii).

'Farm Weeds,' Expenditures *re* Preparation, Printing, &c. (Ques.) 1965 (ii).

French Floods, Relief Fund, Grant to (remarks) 3059 (ii).

French Treaty, B. 12 (Mr. Fielding) in Com. on Res., 174 (i).

French Treaty, Minimum Duties, Trade Arrangements, &c. (Ques.) 8664 (v).

—— Par. in Press *re* Consideration in France, 1690 (i).

Garrison Artillery Guns, Question put by another member, Ques, of Order, 1791 (i).

Govt. Business (remarks) 926 (i).

Govt. Business, and Unopposed Motions (remarks) 4308 (iii).

Govt. Railways Pension Amt. B. 19 (Mr. Graham) on M. for 2°, 1137 (i).

See 'Annuities.'

Govt. Telegraph Lines, Mileage, Cost of Construction, Maintenance, &c. (Ques.) 2184 (ii).

G.T.P. Ry.. Lands Sale along the Lines (Ques.) 1966 (ii).

—— Opening of Winnipeg to Lake Superior Division, ref. to in Speech from the Throne (Ques.) 3677 (ii).

—— Terminals, Expenditure by Govt. *re* (Ques.) 1205 (i).

—— Winnipeg to Edmonton, Cost per mile, Estimated Cost, &c. (Ques.) 129, 623 (i).

See 'Nat. Transcl,' &c.

Hansard Analytical Index, Expenditure *re* (Ques.) 2138 (ii).

Homestead Lands open for Settlement, Number of Acres, &c. (Ques.) 270 (i).

See 'Dom. Lands Act.'

Hudson Bay Ry., Number of Acres of Land sold (Ques.) 2144 (ii).

Immigrants contributed by Five Nationalities, Total Number (Ques.) 128 (i).

Imperial Defence Conference, New Zealand and Australia Papers (remarks) 206 (i).

—— Instruction to Canada's Representatives (remarks) 923 (i).

—— Secretariat, Cor. *re* Formation, &c. (M. for copy of cor.) 388 (i).

Improved Paper Machinery Co.'s B. 67 (Mr. Worthington) in Com., 3138 (ii).

'Industry' Dredge, Total Cost, Date of Commencement of Work (Ques.) 1967 (ii).

Interest Act Amt. B. 73 (Mr. Miller) in Com., 2154 (ii).

I.C.R., Account-Keeping, Capital and Income (remarks) in Com. of Sup., 2936 (ii).

FOSTER, Hon. G. E.—*Con.*

I. C. R., on Annual Stmnt., 2799 (ii).

——— Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1113; in Com., 1131 (i).

——— Passes, Sale and Distribution, Padded Pay-Lists on Windsor Branch, &c. (M. for papers*) 801 (i).

——— inquiry for ret., 2634 (ii).

Kelly, Wm. J., Kidnapping by U. S. Officers (remarks) 853 (i).

Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2424. 2891 (ii).

L'Institut de Notre Dame des Missions incorp. B. 80 (Mr. W. M. Martin) in Com., 3139 (ii).

Loans, Temporary, since June 1st, 1909 (Ques.) 169 (i).

——— Loans since beginning of present Session, Conditions, &c. (Ques.) 1206 (i).

Lumsden Charges: '*See* 'Nat. Transcl. Ry.'

McKenzie, James H., Emplymt. by Inland Revenue Dept. at Toronto (Ques.) 3678 (ii).

Marine and Fisheries, Accidents *re* Pintsch and Acetylene Gas (M. for ret.*) 802 (i).

Montmagny Fire Insurance Co.'s B. 51 (Mr. Lavergne) on M. for 3°, 2281 (ii).

N.T. Ry. Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2617 (ii).

——— (M.) to adjourn Hse., 2561 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 1°, 1734 (i); on M. for 2°, 3344 (ii).

Naval Defence Bill, Stmnt. *re* (remarks) 855 (i).

Naval Service, Further Cor., Inquiry for, 2931 (ii).

——— Information from New Zealand (remarks) 623 (i).

——— 'Niobe,' Purchase of without Parliamentary Authority (remarks) 3481 (ii).

———War Vessels purchased from British Admiralty, O.C's. *re* (Ques.) 2144 (ii).

N. B. Coal and Ry. Company's Accounts, Progress *re* Lawsuit (Ques.) 168 (i).

North Pole Territorial Rights, Request of Capt. Bernier (remarks) 2712 (ii).

Old Age Pensions: *See* 'Annuities.'

Ottawa Buildings, Allotted Space, Number of Occupants, &c., Information *re*, 623 (i).

Ottawa Improvement Commission, Expenditures *re* (Ques.) 8662 (v).

Party Patronage System (prop. res.) 2432 (ii).

——— Patronage Distribution, Inquiry for Ret., 3134 (ii).

——— Notice of Motion, 1792 (i).

FOSTER, Hon. G. E.—*Con.*

Party Patronage System, on Order being called (remarks) 2151 (ii).

Pensions: *See* 'Annuities.'

Pink Rock Wharf, on Ques. of Priv. (Mr. Crocket) 3478 (ii).

Port Colborne Elevator, Expenditure *re* Ry. (Ques.) 3295 (ii).

——— Right of Way, &c. (Ques.) 8661 (v).

Port Colborne Public Works, Total Expenditure to Date, &c. (Ques.) 1967 (ii).

Public Accounts Com., on Amt. (Mr. Blain) to ref. Aud. Gen.'s Rep., 618 (i).

Quebec Bridge, Expenditure incurred since Aug. 29th, 1907 (Ques.) 1969 (ii).

——— Total Cost, Completion, &c. (Ques.) 1205 (i).

Queen's Own Rifles, at Aldershot, Expenditure re (Ques.) 3678 (ii).

Returns, Inquiry for, 8580 (v).

Rocky Mountain Forest Reserve, Inquiry for Tracing (remarks) 170 (i).

Royal Mint, Loss in Operation (remarks) re Answer to Question, 784 (i).

——— Total Cost, Estimated Cost, &c. (Ques.) 103 (i).

Rules of the House, on M. (Sir Wilfrid Laurier) for Special Com., 1442 (i).

Rush-Bagot Treaty: *See* 'U.S.'

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2644 (ii).

S. A. Contingent despatched from Canada, Expenditure by Imp. Govt. and Can. (Ques.) 1204 (i).

S. A. Veterans, Scrip, Number issued, &c. (Ques.) 2144 (ii).

SUPPLY—

Civil Govt.—Agriculture (contingencies) 226; (salaries) 219; Indian Affairs (salaries) 345, 415; Inland Revenue (contingencies) 231; (salaries) 229; Labour (salaries) 235; Trade and Commerce (salaries) 416 (i).

Public Works—Buildings—Ottawa (astronomical observatory) 416, 539; (deptl. buildings, new) 549 (i).

Public Works—Buildings—Que. (Lévis) 668; (Maisonneuve) 675 (i); (Marieville) 679; (Quebec customs) 824; (Quebec hospital 823; (Que. immigration sheds) 926; (Que. observatory) 823; (Quebec P.O.) 824; (Rock Island) 947; (St. Jacques de l'Achigan) 953; (St. Lambert) 955; (St. Roch) 828; (Shawinigan Falls) 950 (i).

Public Works—Harbours and Rivers—N. B. (Pink Rock) 3423; (Quaco) 3427; (Richibucto) 3428 (ii).

Railways—Hudson Bay (surveys) 3067 (ii).

Railways—I. C. R. (bridge strengthening) 2872; (Chatham diversion) 2874; (draw bars) 2882; (Indiantown 2884; (Moncton cut-off) 2933; (Moncton shops) 2935; (original construction) 2943 (ii).

Miscellaneous—Railways (Quebec bridge) 3070 (ii).

Railways—N. T. R. (surveys, &c.) 3065 (ii).

FOSTER, Hon. G. E.—*Con.*

SUPPLY—*Con.*

Railways—P. E. I. (Charlottetown) 3065; (Harmony-Elmira) 3063 (ii).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1030 (i).

Temporary Loans: *See* "Loans."

Toronto sub-Post Offices, Ownership of Building, Salaries, &c. (Ques.) 3677 (ii).

U. S. Immigration Agents and Canadians entering U.S. (remarks) 1101 (i).

U. S. Minimum Tariff (remarks) 2153 (ii).

——— Decision *re* Canadian Exports (remarks) 3058 (ii).

——— Negotiations *re* (remarks) 3480 (ii).

——— Trade Relations with U. S. (Mr. Fielding) on M. for Com., 8754 (v).

U. S. War Vessels on Great Lakes (M. for cor., &c.) 791 (i).

——— Inquiry for Ret., 8737 (v).

War Vessels, Negotiations *re* Purchase of (remarks) 2713 (ii).

See 'Naval.'

Welland Canal, Expenditure *re* Surveys, &c. (Ques.) 1968 (ii).

Wharfs, Public, Number leased under Act of 1909 (Ques.) 260 (i).

FOWKE, Mr. F. L., *South Ontario.*

Budget, The, 1613 (i).

Campbellford, Lake Ontario and Western Ry. Co.'s (B. 28) 1°*, 379 (i).

Foreign Capital invested in Canadian Enterprises, Location, &c. (Ques.) 631 (i).

Insurance Act B. 166 (Mr. Fielding) in Com., 8470 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3236 (ii).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1053 (i).

Toronto and Eastern Ry. Co.'s incorp. (B. 116) 1°*, 2221 (ii); in Com., 6768 (iv).

FRASER, Mr. A. L., *Kings, P.E.I.*

Fish Drier at Souris, Operation, Total Cost, &c. (Ques.) 6798 (iv).

Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2777 (ii).

P. E. I. Mail Service, Increased Facilities, &c. (remarks) in Com. of Sup., 6714 (iv).

P. E. I. Ry., Murray Harbour Branch Survey (Ques.) 7518 (v).

P. E. I. Tunnel, Reps. *re* Surveys, &c., on M. (Mr. Warburton) for copy, 288 (i).

P. E. I. Winter Communication, Memorials, &c., on M. (Mr. Warburton) for Copies, 3197 (ii).

Senate Representation by Provinces, on prop. Res., 2005 (ii).

FRASER, Mr. A. L.—*Con.*

Senate Vacancy, Apptmt. *re* P. E. I. (Ques.) 1376 (i).

Sinclair, Mr. John E., Emplymt. by Govt. (Ques.) 6506 (iv).

Souris Life-Saving Station, Ownership of Site (Ques.) 7065 (iv).

SUPPLY—

Arts, Agriculture, &c. (experimental farms) 5728 (iii).

Civil Govt.—Post Office (salaries) 6714 (iv).

Mail Subsidies and SS. Subvention (Canada and Cuba) 5705 (iii).

Post Office—Outside Service (rural delivery) 5754 (iii).

Public Works—Buildings—P. E. I. (Summerside) 580 (i); Harbours and Rivers—Ont. (Port Arthur and Fort William) 5735 (iii).

GAUVREAU, Mr. C. A., *Temiscouata.*

I.C.R., Rivière du Loup Coal Shed, Erection of (Ques.) 4128 (iii).

——— Workshops at Rivière du Loup, Electrical Development, &c. (Ques.) 6182 (iv).

Lighthouse-keepers Salaries, Increase in, &c. (Ques.) 1589 (i).

'Princess' Str., Name of Officer in Charge (Ques.) 8238 (v).

Rivière du Loup, I. C. Ry. Crossing, Protection *re* (Ques.) 1778 (i).

GEOFFRION, Mr. V., *Chambly and Verchères.*

British North American Mining Co. (B. 27) 1°*, 379 (i).

Montreal and Southern Counties Ry. Co.'s (B. 169) 1°*, 5617 (iii).

N. T. Ry. Classification, Lumsden Charges, 3rd Rep. of Com. (M.) to conc., 4070 (iii).

——— on M. to conc. in 4th Report of Com., 6056 (iv).

——— 6th Rep. of Com. (M.) 8737 (v).

——— Res. in Com. *re* Reporting to Hse. (remarks) 5196 (iii).

——— Changes *re* Report, on M. for Sup., 5575 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4444 (iii).

GERMAN, Mr. W. M., *Welland.*

Botterill, Roland James Relief (B. 225) 1°*, 8361 (v).

Canadian Pacific Ry. Co.'s (B. 96) 1°*, 1878 (i); in Com., 3150 (ii).

Combines Investigation B. 101 (Mr. King) in Com., 6910 (iv).

Criminal Code (race track) B. 6 (Mr. Miller) in Com., 6550 (iv).

Govt. Dredges, Purchase of, Ret. *re* (remarks) 3944 (ii).

Port Credit Harbour Dredging (remarks) in Com. of Sup., 6128 (iv).

GERMAN, Mr. W. M.—*Con.*

Pulpwood Exportation, Notice of Motion (remarks) 3986 (iii).

St. Lawrence Power Transmission B. 115 (Mr. Pardee) in Com., 6667 (iv).

SUPPLY—

Public Works—Dredging—Que. and Ont. (generally) 6125; Harbours and Rivers—N.B. (St. John) 6110 (iv).

GERVAIS, Mr. H., *Montreal, St. James.*

'Canada Gazette,' French Edition (remarks) 8585 (v).

Chambly River Dam and Fishing (remarks) in Com. of Sup., 8538 (v).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. on Res., 6949 (iv).

Combines Investigation B. 101 (Mr. King) in Com., 6933 (iv).

Debates, Official, 1st Rep. (presented) 514 (i).

——— 2nd Rep. of Com. (presented) 2424; (M.) to conc., 3052 (ii).

——— Translator, Apptmt. of (M.) 3914 (ii).

Escheats to the Crown B. 206 (Mr. Aylesworth) on M. for Res., 6508 (iv).

House of Commons, Officials' Increases, Mr. Laplante (remarks) in Com. of Sup., 8827 (v).

Interest Act Amt. B. 8 (Mr. Miller)on M. for 2°, 507 (i).

Montreal, Kapitachuan and Rupert's Bay Ry. Co.'s incorp. (B. 167) 1°*, 5617 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4951 (iii).

Retail Merchants Association incorp. (B. 210) 1°*, 7286; 2° m., 7287; in Com., 7868 (iv), 8043, 8422, 8587 (v).

SUPPLY—

Fisheries (salaries) 8538 (v).
Labour (technical education) 8800 (v).
Mines (peat bogs) 8554 (v).
Railways—Miscellaneous (polytechnic school) 8822 (v).

GIRARD, Mr. J., *Chicoutimi and Saguenay.*

Arcand, T., Dismissal as Lightkeeper at Carousel (Ques.) 2288 (ii).

Boivin, Elzear, Payment *re* Telegraph Construction (Ques.) 7870 (v).

Buoys on Lake St. John, Annual Payments (Ques.) 7870 (v).

Chambord Customs Office, Discontinuance of, &c. (Ques.) 4515 (iii).

Delaucette, Mr. A., Instructions *re* Prosecution (Ques.) 8678 (v).

Delisle Postmaster, Alfred Gagne, Removal, &c. (Ques.) 4516 (iii).

Dolbeau Postmaster, J. Tremblay, Removal of, &c. (Ques.) 4516 (iii).

GIRARD, Mr. J.—*Con.*

Du Tremblay, Mr. Arthur, Instructions *re* Proceedings (Ques.) 8678 (v).

Eighteenth Regiment, Refund of Moneys *re* False Names on Pay Lists (Ques.) 6800 (iv), 8837 (v).

See 'Savard,' &c.

James Bay and Eastern Ry. Co.'s incorp. (B. 128) 1°*, 2792 (ii); in Com., 5723, 5763 (iii).

Lemieux, Ed., Payments to for Wood (Ques.) 8837 (v).

McLean, A., Payments for Purchase of Wood, &c. (Ques.) 8836 (v).

Metabetchouan Postmaster, Mr. Jean Gauthier, Removal, &c. (Ques.) 4515 (iii).

Oyamel Company, Payments *re* Tamarac Wood (Ques.) 7870, 8834 (v).

Pay Lists of 18th Regiment, Personators, &c. (Ques.) 8837 (v).

Pointe Bleue Indian Agent, W. Donohue, Removal of, &c. (Ques.) 4515 (iii).

Potvin, P. A., Payments to (Ques.) 8837 (v).

Pulp Co., Chicoutimi, Tolls paid *re* Booms (Ques.) 7871 (v).

Savard, Lt.-Col., 18th Reg., Retention of Money from Capt. Talbot (Ques.) 8658 (v).

——— Sale of Uniforms of 18th Regiment, &c. (Ques.) 6800 (iv).

Scott, Col. B. A., Defaulting Amounts, &c. (Ques.) 8836 (v).

——— Resignation from 18th Regiment, &c. (Ques.) 8109 (v).

SUPPLY—

Public Works—Harbours and Rivers—Que. (Chicoutimi) 3887; (Natashquan) 3910 (ii).

Talbot, Capt. Rene, Payment of Allowance for 1907 (Ques.) 6800 (iv).

Telegraph Lines between L'Anse St. Jean and St. Alexis, Repairs, &c. (Ques.) 8836 (v).

Tremblay, J., Payments *re* Wood (Ques.) 8836 (v).

Veilleue, Charles, Payments to (Ques.) 8836 (v).

Wurtele, Col., 18th Regiment, Resignation, Refund of Moneys, &c. (Ques.) 6800 (iv).

GLADU, Mr. J. E. O., *Yamaska.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4953 (iii).

Ottawa, Montreal and Eastern Ry. Co.'s incorp. (B. 107) 1°*, 2184 (ii).

GOODEVE, Mr. A. S., *Kootenay.*

Apples grown in Prov. of Quebec, &c. (remarks) in Com. on Bill, 5647 (iii).

GOODEVE, Mr. A. S.—*Con.*
Camborne Postmaster, B.C., Pet. *re* Apptmt. (Ques.) 1016 (i).
Camborne Post Office, Pet. *re* Removal (remarks) 2713 (ii).
Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7306 (iv).
Columbia and Western Ry. Co.'s (B. 29) 1°*, 379 (i).
Columbia River Banks, Repairs, &c. (repairs) in Com. of Sup., 4718 (iii).
Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6998 (iv).
Currency Acts Amt. B. 195 (Mr. Fielding) in Com., 6623 (iv).
Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5808 (iii).
Insects, Pests, Diseases B. 20 (Mr. Fisher) in Com., 5647 (iii).
Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 7946 (v).
Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1219 (i).
Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2904 (ii).
Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6368 (iv).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3659 (ii).
Nelson River Ry. Co.'s incorp B. 52 (Mr. Rutan) in Com., 4828, 5297 (iii).
Richibucto Wharf Purchase (remarks) in Com. of Sup., 3844 (ii).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5443 (iii), 6348, 6727 (iv).
Senate Representation by Provinces, on prop. Res. (Mr. Taylor) 2005 (ii).
SUPPLY—
Arts, Agriculture, &c. (experimental farms) 7349 (iv).
Excise (tobacco stamps) 1342 (i).
Public Works—Buildings—B. C. (Fernie) 8190; Ont. (Kincardine) 7504 (v); Ottawa (astronomical observatory) 422, 548 (i); (grounds) 8192 (v).
Public Works—Harbours and Rivers—B. C (Spallumcheen river) 4718; (Arrow lakes) 5614 (iii).
Water Power in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 6373 (iv), 8715 (v).
Zinc Ores Smelting Investigation B. 182 (Mr. Templeman) in Com. on Res., 5800 (iii).

GORDON, Mr. D. A., *East Kent.*
Central Canada Manufacturers Mutual Fire Insurance Co.'s (B. 123) 1°*, 2426 (ii).
Eastern Canada Manufacturers Mutual Fire Insurance Co.'s (B. 124) 1°*, 2426 (ii).
Fighting Island Channel Improvement (remarks) in Com. of Sup., 3860 (ii).

GORDON, Mr. G., *Nipissing.*
Catholic Episcopal Corporation of Temiskaming incorp. (B. 170) 1°*, 5617 (iii).
Criminal Code (silver ore thefts) Amt. (B. 85) 1° m., 1588 (i); 2° m., 2162 (ii).
Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1293 (i).
Gowganda Junction Post Office (remarks) in Com. of Sup., 7865 (v).
Lake Nipissing Flooded Lands, Compensation *re* Names, &c. (Ques.) 2295 (ii).
Montreal River Improvements, Name of Contractor (Ques.) 1014 (i).
Nickel Mines in Canada, Evidence of Mr. A. Wilson, Par. in Ottawa 'Free Press' (remarks) 2189 (ii).
North Bay Post Office (remarks) in Com. of Sup., 940 (i), 7863 (v).
Robinson, Mrs., Imprisonment of, Pets. *re* Release (remarks) 924 (i).
SUPPLY—
Canals—Trent (Newmarket) 3108 (ii).
Civil Govt.—Marine and Fisheries (printing) 253 (i).
Miscellaneous (Ottawa mint) 7866 (v).
Post Office—Outside Service (salaries) 7863 (v).
Public Works—Buildings—Que. (Roberval 940 (i).
Railways (Quebec Bridge) 3081 (ii).

GRAHAM, Hon. G. P., (Minister of Railways and Canals) *Brockville.*
Address, The, Ques. of Order, Denial *re* reported speech, 81 (i).
Auctil, J. Napoleon, Emplymt. by Govt. (Ans.) 1194 (i).
Beauharnois Canal Bridges, on M. for Cor. (Mr. Monk) 2299 (ii).
Beauharnois Canal Leases, Arrears of Rentals, &c. (Ans.) 3733 (ii).
——— Lease to McIntyre & Roberts, Payments, &c. (Ans.) 2142 (ii).
Belleville and North Hastings Ry., Operation by G. T. Ry Co., Remedy *re* (Ans.) 102 (i).
Bourgeois, Mr. B., Dismissal by N. T. Ry. (Ans.) 3166, 3676 (ii).
Bout de L'Ile Bridge Repairs, &c. (remarks) 6396 (iv).
B.C. Railway Subsidies, Particulars re (Ans.) 5929 (iv).
Bruce Mines and Algoma Ry. Co.'s Subsidies, Application re Removal (Ans.) 3735 (ii).
Calgary and Edmonton Ry. Co.'s B. 89 (Mr. Douglas) in Com., 2671 (ii).
Canadian Northern Alberta Ry. Co.'s Subsidy (B. 227) prop. Res., 8110; in Com. on Res., 8483 (v).
Can. Northern Ry. Co.'s B. 61 (Mr. Cash) in Com., 3150 (ii).

GRAHAM, Hon. G. P.—*Con.*

Canadian Northern Ry., Claims *re* Right of Way (remarks) on M. for Sup., 8784 (v).

——— Control of other Ry. Co.'s, Subsidies, &c. (Ans.) 1208 (i).

C.P. Ry. Co.'s B. 96 (Mr. German) in Com., 3150 (ii).

C.P.R., Teulon Branch Extension, Govt. Approval, &c, (Ans.) 1974 (ii).

Canal Statistics, Report (presented) 5759 (iii).

Clarry, L. F., Charges *re* Trent Canal Damages (remarks) 5214 (iii).

——— Total Amount of Account with Dept. (Ans.) 5781 (iii),7516 (v).

See 'Trent.'

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 913 (i).

Crude Petroleum Bounty (B. 208) in Com. on Res., 6985 (iv); in Com., 8129 (v).

See 'Petroleum.'

Elections Act (deposits) Amt. B. 22 (Mr. Macdonnell) on M. for 2°, 1271, 1290 (i).

Evers, T., Emplymt. as Electrician on Lachine Canal (Ans.) 2428 (ii).

——— Total Payments to *re* Lachine Canal Expenses (Ans.) 2928 (ii).

See 'Lachine.'

Fenelon Falls Dry Dock, Construction of (Ans.) 1207 (i).

Godin, Dr. Arsene, Payment *re* Indemnity for Damages on Chambly Canal (Ans.) 2487 (ii).

Govt. Railways (claims) B. 151, 1° m., 4402 (iii).

See 'Rys.'

Govt. Railways Act (damages) Amt. (B. 232) in Com. 8772 (v).

See 'I.C.R'.

Govt. Rys. Provident Fund Amt. (B. 19) 1° m., 206, 2° m., 1136; in Com., 1139 (i); on Order for, 3°, 2637 (ii).

Grand Mira Wharf, Contract *re*, Cost, &c. (Ans.) 6799 (iv).

G.T.P., Arbitration Agreement of 14th May, 1909, Acceptance by Govt. (Ans.) 2137 (ii).

——— Branch Lines, Charters, Construction, Locations, &c. (Ans.) 1366 (i).

G.T.P. and N.T. Ry. Commissions, Investigation *re* Classification (Ans.) 260 (i).

G.T.P. Classifications, Letters from Aud. Gen. (Ans.) 387 (i).

——— Memorandum of Chairman to Prime Minister (Ans.) 2139 (ii).

——— submitted to Mr. Lumsden on 16th March, 1909 (Ans) 262 (i).

See 'Natl. Transcl.'

GRAHAM, Hon. G. P.—*Con.*

G.T.P. Construction Contracts, Provisions *re* Forfeits (Ans.) 388 (i).

——— N.B., Provisions re sub-letting (Ans.) 383 (i).

G.T.P., Cost of Winnipeg and Edmonton Sections, &c. (Ans.) 129 (i).

——— Engineers' Complaints *re* Arbitrators (Ans.) 2141 (ii).

——— Entrance into Brandon, Res. re (Ans.) 3159 (ii).

——— Prairie Section, Return *re* Cost of (Ans.) 1784 (i).

——— Progress Estimates, Amount claimed in District 'A' (Ans.) 2140 (ii).

——— Terminals, Expenditure by Govt. *re* (Ans.) 1205 (i).

———Winnipeg to Edmonton, Cost per Mile, &c. (Ans.) 624 (i).

Gull Cove Breakwater, Recommendations of Engineer (Ans.) 6799 (iv).

Gulliver's Cove, Breakwater, Pets. *re* Construction (Ans.) 1206 (i).

Halifax Roundhouse Property, Valuation of (remarks) in Com. of Sup., 2947 (ii).

Hodgins Investigation *re* N.T. Ry., Payments *re* Legal Services (Ans.) 7064 (iv.)

Holland River, Channel from Devil's Elbow to Bradford Station, Pet. *re* (Ans.) 170, 626 (i).

———Corrected Answer, 1099 (i).

Horse Racing: *See* 'Criminal.'

Hudson Bay Ry. Estimates, Stmnt. (read) 3206 (ii).

——— Survey, Obstructions, &c. (remarks) 7187 (iv).

Hungary Bay Dyke, Macadamizing Road (remarks) in Com. of Sup., 3123 (ii).

I.C.R., Account-keeping, Charges to Capital and Income (stmnt. read) in Com. of Sup., 2937 (ii).

——— Annual Statement, on M. for Sup., 2798 (ii).

——— Board of Management, Additional Powers (Ans.) 627 (i).

——— Date of Apptmt., Salaries, &c. (Ans.) 99 (i).

——— French Representation (Ans.) 7519 (v).

I.C.R. Branch Lines Lease (B. 17) 1° m., 205; 2° m., 1102; in Com., 1130 (i); 3° m. 2191, 2206 (ii); on Senate Amts., 8402

——— Agreement *re* Senate Amendments, 8828, 8854 (v).

I.C.R., Coal Shed at Rivière du Loup, Erection of (Ans.) 4128 (iii).

——— Cunard Property, Halifax, Acquisition by Govt. (remarks) in Com. of Sup., 2938 (ii).

GRAHAM, Hon. G. P.—*Con.*

I.C.R., Dismissals by Commission, &c. (Ans.) 128, 164 (i).

——— Dismissals for each month from Oct. 1908, to March, 1909 (Ans.) 1776 (i).

——— Employees, Number in 1907-8-9 (Ans.) 835 (i).

——— Employees' Passes, Number issued for Oct., Sept. and Nov. (Ans.) 2716 (ii).

——— Excursion Train from Truro to Tatamagouche, Receipts, &c. (Ans.) 1367 (i).

——— Facilities, Prosecutions *re* Fire, &c. (remarks) in Com. of Sup., 2947 (ii).

——— Instructions *re* Sleeping Car Conductors' Residence (Ans.) 4512 (iii).

——— Low Rates, on Inquiry (Mr. R. L. Borden) 8481 (v).

——— Management, Instructions *re* Alcoholic Goods (remarks) 1208 (i).

I. C. R. and N. T. Ry. Estimates, Discussion *re* (remarks) in Com. of Sup., 3132 (ii).

I. C. R. Passes alleged to be stolen, Prevention re (Ans.) 3292 (ii).

——— on Inquiry for Ret., 2635 (ii); 4812 (iii).

I. C. R. and P. E. I. Ry. Employees Benefit Fund (B. 19) on Order for 3°, 2637 (ii). *See* ' Govt. Rys."

I. C. R., Purchasing Agency, Names, &c. (Ans.) 272 (i).

——— Repairs to Car No. 37 (Ans.) 2286 (ii).

——— Riviere du Loup Workshops, Electrical Development (Ans.) 6182 (iv). *See* " River du Loup."

——— Safety of Travel, (remarks) 2279 (ii).

——— Sleeping Cars, Contract *re* Construction with Silliker Car Co. (Ans.) 4847, 5105 (iii).

——— Standard Pay for Machinists, (Ans.) 259 (i).

——— Water Supply on Passenger Trains (remarks) 1304 (i).

——— Windsor Junction and Dartmouth, Change of Service (remarks) on M. for Sup., 344 (i).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) in Com., 3155 (ii).

James Bay and Eastern Ry. Co.'s incorp B. 128 (Mr. Girard) in Com., 5763 (iii).

Kingston Mills Bridge, Tenders *re* Construction (Ans.) 263 (i).

Krick, Mr. W. W., Date of Apptmt. as Govt. Inspector at Port Maitland (Ans.) 836 (i).

Lachine Canal, Amount of Work done *re* Repairs, &c. under Denis O'Brien (Ans.) 1964 (ii).

——— Carpenter Shop, Estimated Cost, Expenditure, &c. (Ans.) 627, 1006 (i).

GRAHAM, Hon. G. P.—*Con.*

Lachine Canal, Dismissals by Denis O'Brien, Promotions, &c. (Ans.) 1368 (i).

——— Douglas Fir, Quantity supplied, &c. (Ans.) 1368 (i).

——— Electrical Machinery at Mill St. Station, Damage to (Ans.) 5104 (iii). *See* " Evers.'

——— Labourers, Names of those paid out of vote of $3,100, &c. (Ans.) 2428 (ii).

Lake Nipissing Canal to Monetteville, Completion of (Ans.) 1194 (i).

Level Crossing Protection, Rep. of Mr. J. Murphy (Ans.) 1198 (i).

Little Nation River Ry. Co.'s Subsidy, in Com. on Res., 8479 (v).

London and Lake Erie Ry. and Transportation Co.'s incorp. B. 91 (Mr. Harris) in Com., 3929 (ii).

Long Sault Rapids Dam, Application *re* (Ans.) 1195 (i).

Lumsden Charges: *See* ' N. T. Ry.'

McKenzie, Mr. Calvin, Emplymt. on I.C.R., Absences, &c. (Ans.) 3733 (ii).

Manitoulin and North Shore Ry. Co.'s B. 113 (Mr. Tolmie) in Com., 3131 (ii).

Mond Nickel Patent Relief B. 92 (Mr. McGiverin) in Com., 3090 (ii).

Montreal, Ottawa and Georgian Bay Canal Co.'s B. 58 (Mr. McGiverin) in Com., 2258 (ii).

Napanee River Dredging coming Season (Ans.) 1194 (i).

N. T. Ry., Accidents, Explosives, Circular *re* Caution, &c. (Ans.) 4512 (iii).

——— on Amt. (Mr. Lennox) *re* Royal Commission, 8263 (v).

——— Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2358 (ii).

——— Classification, &c., on M. (Mr. Foster) that Hse adjourn, 2563 (ii).

——— Commission, Board of Arbitrators, Contractor's Claims *re* Over-Classification (Ans.) 836 (i).

——— Commission, Counsel before Public Accounts Com., Payments to (Ans.) 4516 (iii).

N. T. R., Commissioners, Number of Members, Salaries, &c. (Ans.) 630 (i).

——— Profits re Supplies (Ans.) 3165 (ii).

N. T. Ry. Commissioners' Rep., Distribution of (remarks) 622 (i).

——— (M.) to print, 97 (i).

N. T. Ry., Construction Contracts, Provision *re* Forfeits, corrected answer, 447 (i).

——— Contract to O'Brien and Fowler, &c., Estimated Quantity, Expenditure, &c. (Ans.) 2715 (ii).

GRAHAM, Hon. G. P.—*Con.*

N.T.Ry., Payments *re* Excavations, &c. (Ans.) 3291 (ii).

——— Estimate of Work, &c. (Ans.) 3491 (ii).

N. T. Ry., Date of Contract for Winnipeg to Superior Junction, &c., Expenditure, &c. (Ans.) 165 (i).

——— Estimated Cost of Excavations on District 'F' (Ans.) 2285 (ii).

——— Hodgins, Major, Name of Asst. Engineer in Aug., 1907 (Ans.) 2284 (ii).

——— Letter of Mr. Lumsden *re* Mr. Doucet's Opinion (Ans.) 840 (i).

——— McArthur Contract, Name of Signatory (Ans.) 3491 (ii).

——— McIntosh, Mr., Promotion, &c. (Ans.) 839 (i).

N. T. Ry. and Quebec Bridge, Expenditure *re* Surveys, &c. (Ans.) 6393 (iv).

N. T. Ry., Surveys by G. T. P., Change in Location, &c. (Ans.) 2283 (ii).

——— Tenders *re* Shops at St. Boniface (Ans.) 8835 (v).

——— Tunnel East of Winnipeg, Length, &c. (Ans.) 2284 (ii).

——— Wheat Shipments, &c. (Ans.) 1206 (i).

——— Winnipeg and Lake Superior Junction, Completion of (Ans.) 2285 (ii).

——— Winnipeg to Superior Junction, Opening for Traffic, &c. (Ans.) 165 (i).
See 'G. T. P.'

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4816, 5235 (iii).

Newmarket Canal, Estimated Cost for 1909, Expenditure, &c. (Ans.) 98 (i).
See 'Trent.'

Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8612 (iv).

Ottawa Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin) in Com. on Amt., 1364 (i).

Patronage Distribution, on Inquiry for Ret., 3134 (ii).

Petroleum Bounty Bill, prop. Res., 6608 (iv).
See 'Crude.'

Port Colborne Elevator, Expenditure *re* Railway (Ans.) 3295 (ii).

——— (remarks) in Com. of Sup., 3121 (ii).

——— Right of Way, &c. (Ans.) 8661 (v).

Port Colborne Public Works, Total Expenditure to Date, &c. (Ans.) 1968 (ii).

Prince Albert and Hudson Bay Ry. Co.'s B. 69 (Mr. Neely) in Com., 4840 (iii).

P. E. I. Ry., Murray Harbour Branch Survey (Ans.) 7518 (v).

Private Cars, Expenditure *re* Hauling (remarks) in Com. of Sup., 234 (i).

GRAHAM, Hon. G. P.—*Con.*

Quebec Bridge, Board of Engineers, Additions, Names, &c. (Ans.) 104 (i).

——— Consideration *re* Quebec Bridge Franchise (Ans.) 261 (i).

——— Criticism in 'Scientific American' *re* Plans (remarks) 3390 (ii).

——— Expenditure incurred since Aug. 29, 1907 (Ans.) 1969 (ii).

——— Payments to Company at time of Collapse (Ans.) 3486 (ii).

——— Tenders for New Piers, &c. (Ans.) 840 (i).

——— Total Cost, Completion, &c. (Ans.) 1205 (i).

Ry. Act (liabilities) Amt. B. 2 (Mr. Lancaster) on M. for 2°, 451; (M.) to ref. to Ry. Com., 451 (i).

Ry. Act (appeals) B. 3 (Mr. Lancaster) on Ruling (Mr. Speaker) 462; (M.) to ref. to Ry. Com., 463 (i).

Ry. Act (level crossings) Amt. B. 4 (Mr. Lancaster) on M. for 1°, 95; on M. for 2°, 474 (amt.), 478; agreed to (Y. 87; N. 53) 478 (i).

Ry. Act (contracts) Amt. B. 5 (Mr. Northrup) on M. for 2°, 480, (amt.) 6 m. h. agreed to (Y. 107; N. 60) 494 (i).

Railway Act (fires) Amt. B. 48 (Mr. Papineau) on M. for 2°, 2034 (ii).

Ry. Act (liabilities) Amt. B. 53 (Mr. Meighen) on M. for 2° (M.) to ref. to Ry. Com., 2156 (ii).

Rainy River Radial Ry. Co.'s incorp. B. 108 (Mr. Conmee) in Com., 5766 (iii).

Ry. Act (board of ry. commissioners) Amt. (B. 145) 1° m., 3914 (ii); 2° m., 8405; in Com., 8406 (v).

Railways, Govt., Adjudication of Claims (B. 151) in Com., 6600 (iv).
See 'Govt. Rys.'

Ry. Act Amt. (B. 232) 1° m., 8733 (v).

Railways and Canals, Deptl. Rep. (presented) 7 (i).

——— Dep. Min., Apptmt., Duties. &c. (Ans.) 2718 (ii).

Ry. Code of Train Rules, Approval of Ry. Commission (Ans.) 8834 (v).

Ry. Commission Board, Vacancy *re* Mr. Greenway's Death (Ans.) 131 (i).

Railway Statistics Rep. (presented) 1729 (i).

Railway Subsidies (B. 266) in Com. on Res., 8477; in Com., 8480 (v).

Rivière du Loup, I. C. Ry. Crossing, Protection *re* (Ans.) 1778 (i).

St. Laurent, Man., Wharf Piers, Expenditure *re* (Ans.) 1195 (i).

St. Lawrence Channel from Port Colborne to Montreal, Estimated Cost (Ans.) 842 (i).

GRAHAM, Hon. G. P.—*Con.*

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 6233, 6354, 6666, 6724; on M. for 3°, 6886 (iv); on Senate Amts., 8655 (v).

Sault Ste. Marie Lock, Investigation *re* Accident, Rep. *re* (Ans.) 837 (i).

Scugog Lake, Lands flooded, Ownership, &c. (Ans.) 2187 (ii).

Senate Amts. to Private Bills, Consideration of (remarks) 5777 (iii).

Sunday Traffic: *See* 'London,' &c.

Supplies purchased for Ry. Commission, Complaints *re* (Ans.) 4519 (iii).

SUPPLY.

Canals—Chambly (Canton wharf) 3122 (ii).

Canals—Cornwall (concrete wall) 3123; (levelling) 3123; (lock 17, entrance) 3123; (lock 19, entrance) 3123; (repairs) 3123 (ii).

Canals—Galops (concrete piers) 3124 (ii).

Canals—Lachine (concrete walls) 3103; (wharfs and basins) 3103 (ii).

Canals—Miscellaneous (arbitrations) 3127 (ii).

Canals—Quebec (macadamizing roads) 3122; (protection walls) 3123 (ii).

Canals—Sault Ste. Marie (construction) 3106; (iron mooring posts) 3124 (ii).

Canals—Soulanges (leakage) 3105; (tool grinder) 3105 (ii).

Canals—Trent (construction) 3106; (damages) 3120; (improvements) 3126; (Newmarket) 3107 (ii).

Canals—Welland (elevators) 3121; (lock 2, channel) 3122 (ii); (Port Colborne) 8821; (surveys) 8822 (v).

Civil Govt.—Railways and Canals (contingencies) 247; (salaries) 246 (i).

Public Works—Buildings—N.S. (Parrsborough) 578 (i).

Railways—Hudson Bay (construction) 8820 (v); (surveys, &c.) 3067 (ii).

Railways—I.C.R. (air-brakes) 2881; (Peresford subway) 2872; (board of commission) 3094; (bridge strengthening) 2872; (Chatham diversion) 2874, 2947; (Chaudiere junction) 2873; (draw bars) 2882; (facilities) 2946; (Halifax) 2883; (highways) 2882; (Indiantown) 2884; (Lac au Saumon) 2884; (Loggieville) 2885; (Moncton cut-off) 2933; (Moncton shops) 2933; (new machinery) 2942; (original construction) 2943; (Pintsch gas) 2943; (revenue) 3091; (Riviere du Loup) 2945; (Robinson's crossing) 2945; (St. John) 2945; (Ste. Rosalie) 2946; (side ladders on cars) 2945; (Sydney Mines) 2946 (ii).

Railways—Miscellaneous (Gov. Gen.'s cars) 3127; (litigation expenses) 3131; (ry. commission) 3127; (remunerations) 3131; (statistical officers) 3131 (ii).

Railways—N.T. Ry. (construction, &c.) 5230, 5246 (iii), 8352 (v); (Quebec bridge construction) 3070 (ii), 8821 (v); (surveys, &c.) 3065 (ii).

Railways—P.E.I. (Charlottetown) 3065; (construction) 3102; (Georgetown) 3065; (Harmony-Elmira) 3063 (ii).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke)in Com., 6768 (iv).

GRAHAM, Hon. G. P.—*Con.*

Trent Canal, Bradford Channel, Survey, &c. (Ans.) 384 (i).

Trent Canal, Clarry, Mr. L. F., Charges *re* (remarks) 6097 (iv).

See 'Clarry.'

Trent Canal, Expenditures on Sections 1, 2, 3, 5 and 7 (Ans.) 446 (i).

——— Floods in Township of Asphodel, Payment of Damages, Names, &c. (Ans.) 3733 (ii).

——— Survey, Rep. *re* Kempenfeldt Bay, &c. (Ans.) 170 (i).

——— Water Powers, Control of by Govt. (Ans.) 2185 (ii).

See Holland,' 'Newmarket.'

Vancouver, Victorian and Eastern Ry. & Nav. Co.'s B. 99 (Mr. Burrell) in Com., 4841 (iii).

Welland Canal, Expenditure *re* Surveys (Ans.) 1969 (ii).

——— Running through Lot 50, Purchase of Land, &c. (Ans.) 8660 (v).

Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3437 (ii).

Wheat, Oats, &c., Average Production of Fall and Spring 1909 (Ans.) 5777 (iii).

Windsor Branch Ry., Termination of Lease, Running Rights of Dom. Atlantic Ry. (Ans.) 1370 (i).

GUTHRIE, Mr. H., *South Wellington.*

Guelph Junction Ry. Co.'s B. 218 (Mr. Clarke) on M. for 2°, 8055; in Com., 8621 (v); 3° m., 8652, agreed to (Y. 91; N. 26) 8652 (v).

International Waterways Canal and Construction incorp. (B. 110) M. to refund Fees, 7512 (v).

Labour Hours on Public Works B. 21, (Mr. Verville) on M. for 2°, 1218 (i).

London and Lake Erie Ry. and Transportation Co.'s incorp. B. 91 (Mr. Harris) in Com., 3930 (ii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6301 (iv).

Nelson River Ry. Co.'s B. 52 (Mr. Rutan) in Com., 4820 (iii).

Party Patronage System, on prop. Res. (Mr. Foster) 2450 (ii).

Railway Act Amt. B. 145 (Mr. Graham) in Com., 8417 (v).

Railway Committee Report, Delay in presenting (remarks) 7190 (iv).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5324 (iii).

Technical Education, Commission *re* Investigation of Needs (prop. res.) 1023; Neg. (N. 78; Y. 56) 1098 (i).

GUTHRIE, Mr. H.—*Con.*
Technical Education, (remarks) on M. for Sup., 2362 (ii).
——— 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).
Winnipeg Post Office, Closing on Sundays, &c. (Ques.) 3672 (ii).
——— Representations *re* (M. for cor.*) 4315
——— (remarks) 4134 (ii).

HAGGART, Hon. J. G., *South Lanark.*
Baby Farm Sale B. 181 (Sir Frederick Borden) in Com. on Res., 5792 (iii).
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) 5208 (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., 7998 (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).

Public Works—Buildings—Que. (Chicoutimi) 662; (Fraserville) 662; (Joliette) 663; (Lachine, clock) 667; (Levis) 669; (Maisonneuve) 674; (Marieville) 679; (Megantic) 700; (Montreal P. O.) 702; (Plessisville) 704 (i).

Public Works—Harbours and Rivers—N.B. (New Mills) 3395 (ii).

Public Works—Harbours and Rivers—N.S. (South Cove) 1177; (Tusket Wedge) 1179 (i).

Public Works—Harbours and Rivers—Ont. (Christian Island) 3467; (Collingwood) 3467; (Goderich) 3468; (Grand Bend) 3468; (Haileybury) 3469; (Juniper Island) 3469; (Latchford) 3471; (McGregor's creek) 3470; (Martin's Island) 3474; (Port Hope) 3472; (Port Stanley) 3472; (Rainy River) 3472; (Rondeau) 3474 (ii).

Public Works—Harbours and Rivers—Que. (St. Charles) 6102 (iv).

Railways—Hudson Bay (surveys) 3069; I. C.R. (Moncton cut-off) 2933 (ii).

Railways (Quebec bridge) 3074 (ii).

Tariff Negotiations with U. S. on M. (Mr. Fielding) for Com. on Ways and Means, 5944 (iv).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1090 (i).

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6768 (iv).

U.S. Training Vessels on Great Lakes, Number, &c. (Ques.) 132 (i).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4996 (iii); on M. for 2°, 6379 (iv); in Com., 8096 (v).

Water Supply for Dom. Buildings, Experiment by Govt. *re* Purifying (Ques.) 130 (i).

Zinc Ores Bounty B. 182 (Mr. Templeman) in Com., 5937 (iv).

JAMESON, Mr. C., *Digby.*

Apples grown in Prov. of Quebec (remarks) 5655 (iii).

Arctic Expedition Tablet, Authority for placing in H. of C. (Ques.) 1536 (i).

'Arctic,' Str., Rep. from Capt. Bernier *re* Cruise (Ques.) 1014 (i).

Atlantic Fisheries, Amount of Expenditure, &c. (M. for ret.*) 1976 (ii).

Baby Farm Sale B. 181 (Sir Frederick Borden) in Com. on Res., 5792 (iii).

Bait Freezers, Date of Govt. Assistance, Number erected, &c. (Ques.) 1593 (i).

JAMESON, Mr. C.—*Con.*

Bait Supply in Bay of Fundy, Complaints *re* (Ques.) 1965 (ii).

Boar's Back Post Office, Name of new Office (Ques.) 5778 (iii).

——— Pet. *re* (Ques.) 4313 (iii).

Canadian Fisheries Commissions, Number since 1896, &c. (Ques.) 1198 (i).

Centreville Wharf Repairs (remarks) in Com. of Sup., 978 (i).

'Christine,' Str., Purchase of, &c. (Ques.) 1201 (i).

Cold Storage Plant, Barrington, N.S., Application *re* Subsidy (Ques.) 1972 (ii).

Conservation Committee, Names, Residence, &c. (Ques.) 4845 (iii).

——— Regulation *re* Fisheries (Ques.) 3486 (ii).

See 'Natural.'

Customs Act Amt. (B. 200) 1° m., 6607 (iv).

Deep Water Weirs in Charlotte, Number of Licenses issued, &c. (Ques.) 1782 (i).

See 'Herring.'

Digby Armoury (remarks) in Com. of Sup., 8572 (v).

Digby Dredging (remarks) in Com of Sup., 4791 (iii).

Fish Tariff between U. S. and Canada, Par. in Ottawa 'Citizen,' 4811 (iii).

Fishing Vessels Licenses (B. 199) 1° m., 6607 (iv).

Flag for Canada, Distinctive Ensign (Ques.) 133 (i).

Gulliver's Cove Breakwater, Pets. *re* Construction (Ques.) 1206 (i).

Herring Fisheries in Charlotte, Quantity packed, Value, &c. (Ques.) 1782 (i).

See 'Deep,' &c.

Herring Fisheries Transportation to U. S. in Canadian or American Boats (Ques.) 1777 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5513; in Com., 5805, 5821 (iii).

Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5655 (iii).

I. C. R. Branch Lines Lease B. 17 (Mr. Graham) in Com., 1134 (i).

——— Employees, Payments to, Names, Apptmts, &c. (M. for ret.*) 1021 (i).

———Safety of Travel (remarks) 2278 (ii).

International Fisheries Commission, Inquiry for Rep., 3059 (ii).

L'Institut de Notre Dame des Missions, incorp. B. 80 (Mr. Martin) in Com., 3149 (ii).

Lobster Canning Licenses, Number issued (Ques.) 1970 (ii).

JAMESON, Mr. C.—*Con.*

Lobster Canning Plants, Names of Officers connected with, &c. (Ques.) 3936 (ii).

Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2779 (ii).

N. T. Ry., Amounts paid to Contractors, Number of Employees, &c. (Ques.) 164 (i).

Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6363 (iv).

Naval Cadets, Instructions *re* Seamanship, Rate of Pay, &c. (Ques.) 1971 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 1°, 1762 (i); in Com., 7489 (v).

Naval Service in Can., Number of Applicants, Policy of such Appointments, &c. (Ques.) 1970 (ii).

Navigable Waters Protection Act Amt. B. 193 (Mr. Pugsley) in Com., 6965 (iv).

Newspaper Postage to U. S., Classification, Amount paid, &c. (Ques.) 1973 (ii).

N. S. Representation in H. of C., *re* Amt. in B. N. A. Act (Ques.) 1965 (ii).
See 'Mar. Provs.'

Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com. on Res., 8703 (v).

Ottawa and Quebec East Electoral Divisions, Decision of Prime Minister (remarks) 413 (i).

Provincial Boundaries Extensions, Notice to N. B. and N. S. (Ques.) 3166 (ii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5341 (iii).

Salmon Fishery, Digby, Reports, Cor. (M. for cor.*) 1022 (i).

—— Incomplete Ret. (remarks) 2798 (ii).

Salmon River Dam and Fishing Rights (remarks) in Com. of Sup., 8535 (v).

Salmon River Postmastership, Vacancy, Pet. *re* (Ques.) 2929 (ii).

Senate Vacancies in N. S., Names of Appointees, &c. (Ques.) 386 (i).

SUPPLY—

Arts, Agriculture, &c. (tobacco) 7382 (iv).

Civil Govt.—Naval Service (salaries) 8514 (v).

Fisheries (customs bureau) 8547 (v).

Lighthouse and Coast Service (aids to navigation) 8525; (buoy steamers) 8528; (salaries) 8524; (signal service) 8527 (v).

Mail Subsidies and SS. Subventions (Canada and Mexico) 5691 (iii).

Militia (armouries) 8572 (v).

Ocean and River Service (schools of navigation) 8519 (v).

Public Works—Buildings—N. S. (Digby) 573; (Halifax) 575; (North Sydney) 577; (Parrsboro) 577; (Wolfville) 579 (i).

Public Works—Buildings—Ottawa (ventilation) 8170 (v).

Public Works—Dredging—Mar. Provs. (generally) 4788, 5717 (iii); Que. and Ont. (generally) 6134 (iv).

JAMESON, Mr. C.—*Con.*

SUPPLY—*Con.*

Public Works—Harbours and Rivers—N.S. (Annapolis) 976; (Arichat) 977; (Black Point) 977; (Breen's Pond) 977; (Brooklyn) 978 (i); (Centreville, &c.) 8817 (v); (David's Cove) 985; (Economy) 985; (Fox Island) 990; (generally, repairs, &c.) 992; (Habitant River) 992; (Little River) 996; (Meteghan) 996; (Nyanza) 1000; (Piper's Cove) 1158; (Porter's Lake) 1161; (Port Hood) 1161; (Port Maitland) 1169; (Yarmouth) 1191 (i).

Public Works—Harbours and Rivers—P. E.I. (Souris) 2696; (Summerside) 2697 (ii).

Trade and Commerce (commercial agencies) 8810 (v).

Tariff Commission, 1906, Date of Meeting at Middleton, N.S. (Ques.) 1020 (i).

Westport Harbour (remarks) in Com. of Sup., 1191 (i).

Weymouth Port Dredging (remarks) in Com. of Sup., 4788, 5718 (iii), 6131 (iv).

KIDD, Mr. E., *Carleton, Ont.*

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2660 (ii).

KING, Hon. MACKENZIE (Minister of Labour), *North Waterloo.*

Aliens Labourers on Rys. (remarks) 8577 (v).

Alien Labour Law, Abolition of, Pets. *re* (Ans.) 272 (i).

—— Violations *re* (remarks) 4814 (iii).

Cement Merger, Complaints *re* Illegal Combination (Ans.) 2297 (ii).
See 'Combines Bill.'

Combines Investigation Act (M.) for Com. on Res., 2489 (ii).

Combines Investigation Act (B. 101) 1° m., 2056 (ii); M. for Com. on Res., 6802; 2°, m. and in Com., 6904 (iv), 7881; 3° m., 7977, 7981; on Senate Amts., 8777 (v).

——(amt.) *re* Title, 8003 (v).

Combines Bill, Rep. of Speech (personal explanation) 7188 (iv).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1282 (i).

Extension B. C., Mining Disaster, Medals awarded, Investigation *re* (Ans.) 270 (i).

Industrial Disputes Act Amt. B. 23 (Mr. Macdonell) on M. for 2°, 1297 (i).

—— on Personal Explanation (Mr. Macdonell) 8116 (v).

Industrial Disputes Investigation Act Amt. (B. 198) Prop. Res., 4848 (iii); in Com. on Res., 6603 (iv); in Com., 8027 (v).

Industrial Disputes, Increase in Wages, &c. (Ans.) 168 (i).

Industrial Disputes Act, Legislation *re* (Ans.) 1590 (i).

KING, Hon. MACKENZIE—*Con.*

Japanese Immigration from U. S., entering B. C. (remarks) in Com. of Sup., 239 (i).

Labour, Deptl. Rep. (presented) 7 (i).

Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1229 (i).

Labour Hours on Public Works, 1st Rep. of Com. (presented) 1586 (i).

—— Rep. of Com (M.) to conc., 2424, 2887; conc. in (Y. 114; N. 36) 2923 (ii).

—— 4th Rep. of Com (M.) to conc., 8830 (v).

Naval Defence Bill, Ques. of Priv., Res. read by Minister of Militia (explanation) 4710 (iii).

Postal Contracts and Fair Wage Clause (remarks) in Com. of Sup., 242 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5446 (iii).

SUPPLY—

Civil Govt.—Labour (contingencies) 243; (salaries) 235 (i).

Labour (Industrial Disputes Act) 8799; (technical education) 8800 (v).

Public Works—Harbours and Rivers—B.C. (Queen Charlotte) 4717 (iii).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1061; (M.) to adjn. debate, 1076, agreed to (Y. 78; N. 56) 1097 (i).

—— Letters to Premiers, &c. (read) 2666 (ii).

—— Replies of Provl. Premiers (Ans.) 3160 (ii).

Technical Education, Letter from Mr. King to Hamilton Board of Trade (remarks) 3208 (ii).

Technical Education (remarks) on M. for Sup., 2662 (ii).

KNOWLES, Mr. W. E., *Moosejaw.*

Fleming, Helena Mellor Relief (B. 179) 1°*, 5759 (iii).

Hudson Bay Insurance Co.'s (B. 43) 1°*, 515 (i).

Industrial Disputes Act, Legislation *re* Amt. (Ques.) 1590 (i).

KYTE, Mr. G. W., *Richmond, N. S.*

Address, The, in Ans. to His Ex.'s Speech (seconded) 27 (i).

Mar. Provinces, Representation in H. of C., Pet. re B.N.A. Act (prop. Res.) 2718 (iii)

SUPPLY—

Public Works—Harbours and Rivers—N.S. (Port Malcolm) 1164 (i).

LACHANCE, Mr. A., *Centre Quebec.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4848 (ii).

LAFORTUNE, Mr. D. A., *Montcalm.*

Combines Investigation B. 101 (Mr. King) on M. for 3°, 7993 (v).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6526 (iv).

SUPPLY—

Arts, Agriculture, &c. (Dom. exhibitions) 7387; (experimental farms) 7359; (tobacco) 7381 (iv).

LAKE, Mr. R. S., *Qu'Appelle.*

Brandon Agency, Number of Persons employed, Absence, &c. (Ques.) 2950 (ii).

Budget, The, 1828 (i).

Burlington Customs Collector, Outside Employment, &c. (Ques.) 5001 (iii).

Compensation to Alta. and Sask. *re* Public Lands, &c. (Ques.) 3291 (ii).

Dom. Land Offices, Alberta and Sask., Aggregate Revenue, &c. (Ques.) 3290 (ii).

Fisheries Revenue in Alberta and Sask., &c. (Ques.) 1021 (i).

Half-Breed Scrip Issue, Commission *re* (Ques.) 5931 (iv).

Homestead Fees, &c., in Alberta and Sask., Amount collected from 1908 (Ques.) 847 (i).

Homesteads and Pre-emptions, Total Acreage sold since 1908 (Ques.) 275 (i).

Homestead Pre-emptions, Alberta and Sask., Total Acreage, Moneys received, &c. (Ques.) 2951 (ii).

Industrial Schools for Indians, Govt. Policy, &c. (Ques.) 6390 (iv).

I.C.R., on Annual Stmnt., 2814 (ii).

Last Mountain Lake Improvements (remarks) in Com. of Sup., 4731 (iii).

Leach, Mr., Duties *re* Dom. Lands (remarks) in Com. of Sup., 8490 (v).

Mudie, Allen R., and Thos. G. Warwick, Claims *re* Section 24-38-10, &c. (M. for cor.*) 1022 (i).

See 'Warwick.'

National Battlefields Commission, Purchase of Property in Quebec (Ques.) 3671 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 1°, 1737 (i); on Amt. (Mr. Northrup) to M. for 2°, 5158 (iii).

Paterson, Mr. T. and J. F. Sibbard, Claims *re* Section 16-30-9, Cor., &c. (M. for cor.*) 1686 (i).

Pre-emption Payments, Notice *re* Interest, &c. (Ques.) 432 (i).

Privilege, Ques. of, *re* Prime Minister Speech at Toronto, Rep. of 'Globe,' 2430 (ii).

Saskatchewan, Provl. Subsidies, Aggregate Payments, &c. (Ques.) 3167 (ii).

School Lands Sales, Conditions, Terms, &c. (Ques.) 5930 (iv).

LAKE, Mr. R. S.—*Con.*

Seed Grain Distribution, Average Price paid Additional Cost, &c. (Ques.) 1002 (i).
Seed Grain Distribution to Homestead Holders Quarter Sections 24 (Ques.) 1195 (i).

SUPPLY—
Civil Govt.—Marine and Fisheries (salaries) 251 (i).
Dom. Lands (salaries) 8490 (v).
Immigration (salaries) 8494 (v).
Naval Service (maintenance) 8497 (v).
Post Office (P. O. guide index) 5607 (iii).
Public Works—Harbours and Rivers—Sask. (Last Mountain) 4272 (iii).
Railways—Hudson Bay (construction) 8819 (v).

Suzerainty to England, Report of Prime Minister's Speech at Toronto (Ques.) 2289 (ii).
Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8394 (v).
Warwick, Thos. G., Payment *re* Value of Improvements on Entry, &c. (Ques.) 275 (i).
See 'Mudie.'
Wood Permits to Residents for Fuel Purposes in Twp. 50 (Ques.) 4079 (iii).

LALOR, Mr. F. R., *Haldimand.*

Budget, The (remarks) 2079 (ii).
Canada and Germany, Total Value of Exports, Imports, &c. (Ques.) 633 (i).
Dunnville, Postal and Customs Revenue, Total Amount (Ques.) 1009 (i).
Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 721 (i).
German Surtax, Explanation *re* Negotiations, (remarks) 3680 (ii).
German Tariff and U. S. Rates, &c. (remarks) 3833 (ii).
Krick, Mr. W. W., Govt. Inspector at Port Maitland, Date of Apptmt. (Ques.) 835 (i).
Long Sault Rapids, Deputations *re* Building of a Dam (remarks) 2061 (ii).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5031 (iii).
Richibucto Wharf Purchase (remarks) in Com. of Sup., 3843 (ii).
——— on Amt. (Mr. Crocket) to Com. of Sup., 7661 (v).

SUPPLY—
Public Works—Buildings—Ottawa (astronomical observatory) 540 (i).
Public Works—Harbours and Rivers—Man. (St. Andrew's Rapids) 6104 (iv); Ont. (Fiddler's Elbow) 3837 (ii).

LANCASTER, Mr. E. A., *Lincoln and Niagara.*

Baby Farm Sale B. 181 (Sir Frederick Borden) in Com. on Res., 5792 (iii).

LANCASTER, Mr. E. A.—*Con.*

Blythe, Walter, Postponed Execution of, on M. (Mr. Wallace) for Papers, 2016 (ii).
Combines Investigation Act Amt. B. 101 (Mr. King) in Com., 6925 (iv).
Criminal Code (motor vehicles) Amt. B. 13 (Mr. Lewis) on Order for 2°, 8729; in Com., 8730 (v).
Criminal Code (motor vehicles) Amt. B. 75 (Mr. Harris) in Com., 8731 (v).
Dry Dock Subsidies B. 229 (Mr. Fielding) in Com., 8763 (v).
Electric and Gas Exportation Licenses, Number issued, &c. (Ques.) 167 (i).
Franco-Canadian Treaty B. 12 (Mr. Fielding) in Com. on Res., 172; on M. for 2°, 739 (i).
Govt. Railways Act Amt. B. 232 (Mr. Graham) in Com., 8772 (v).
Grimsby Post Office Accommodation (remarks) in Com. of Sup., 928 (i), 8814 (v).
Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8618 (v).
Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6748 (iv).
Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5554, 5844 (iii).
Industrial Disputes Investigation Act Amt. B. 198 (Mr. King) in Com. on Res., 6604 (iv).
Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8470 (v).
I.C.R., on Annual Stmnt., 2812 (ii).
I.C.R. Branch Lines B. 17 (Mr. Graham) on Senate Amts., 8404 (v).
James Bay and Eastern Ry. Co.'s incorp. B. 128 (Mr. Graham) in Com., 5763 (iii).
Johnson, Arthur, Certificate as Engineer, &c. (Ques.) 4844 (iii).
Land Titles Act Amt. B. 125 (Mr. Oliver) on Senate Amts., 8401 (v).
Lobster Fisheries Rep., on M. (Mr. Sinclair) to conc., 8235 (v).
Lumsden Charges, N.T. Ry. Classification, on M. to conc. in 4th Rep. of Com., 6094 (iv).
Natural Resources Conservation B. 185 (Mr. Fisher) in Com., 6360 (iv).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5016 (iii); in Com., 7418 (v).
Oka River Reserve, Pet. *re* (remarks) 8583 (v).
Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8600 (v).
Race Track Gambling B. 6 (Mr. Miller) on M. (Sir Wilfrid Laurier) to conc. in Rep. of Special Com., 6400; on M. for

LANCASTER, Mr. E. A.—*Con.*

Com., 6407; in Com., 6503, 6548; on Amt. (Mr. McColl) in Com., 6582 (iv).

Ry. Act (contracts) Amt. (B. 2) 1° m., 93; 2° m., 413, 448 (i).

Ry. Act (appeals) Amt. (B. 3) 1° m., 94; 2° m., 452, 462; on M. to ref. to Ry. Com., 463 (i).

Ry. Act (level crossings) Amt. (B. 4) 1° m., 95; 2° m., 467; Neg. (Y. 87; N. 53) 479 (i).

Railway Act (appeals) Amt. B. 145 (Mr. Graham) in Com., 8406 (v).

Railways, Adjudication of Claims B. 151 (Mr. Graham) in Com., 6601 (iv).

Railway Act Amt. Bills, Delay in Committees (remarks) 925 (i).

Ry. Committee (M.) to reduce Number, 8734 (v).

Rainy River Radial Ry Co.'s incorp. B. 108 (Mr. Conmee) in Com., 5767 (iii).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8596 (v).

Royal Military College Act Amt. B. 180 (Sir Frederick Borden) in Com. on Res., 5784 (iii).

Rules of the House, in Com. on Rep., 8370.

St. John Harbour, Wharfs, &c., B. 204 (Mr. Pugsley) in Com., 8124 (v).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5465 (iii), 6355, 6735 (iv); on Senate Amts., 8656 (v).

Senate, Abolition, Amt. to B.N.A. Act, Prop. Address to His Majesty, 1977, Neg. (Y. 23; N. 111) 2002 (ii).

Senate Amts. to Private Bills, Consideration of (remarks) 5777 (iii).

SUPPLY—

Civil Govt.—Interior (salaries) 8194 (v).

Customs—Outside Ports (contingencies) 8806 (v).

Excise (distilleries) 1332; (translation) 1343 (i).

Fisheries (legal expenses) 8543; (provincial jurisdiction) 8546; (salaries) 8540 (v).

House of Commons (sessional indemnities) 7771 (v).

Immigration (agents, &c.) 8206 (v).

Justice—Administration of—N. W. T. (stipendiary magistrate) 8799 (v).

Militia (monuments) 8576 (v).

Public Works—Buildings—N.B. (St. John) 593 (i).

Public Works—Buildings—N.S. (Parrsboro') 578 (i).

Public Works—Buildings—Ottawa (astronomical observatory) 426; (military stores) 597; (museum) 568 (i); (ventilation) 8170 (v).

Public Works—Buildings—Que. (Rigaud) 8814 (v); (Roberval) 928; (St. Roch) 830; (Shawenegan Falls) 949 (i).

LANCASTER, Mr. E. A.—*Con.*

SUPPLY—*Con.*

Public Works—Harbours and Rivers—N.S. (Burk's Head) 981 (i).

Public Works—Harbours and Rivers—Que. (Yamaska and Richelieu) 5721 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8391 (v).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8005, 8436, 8706 (v).

LANCTOT, Mr. A., *Richelieu.*

Victoria Jubilee Bridge Highway, Emigrants Burial Ground, Repairs (Ques.) 5889 (iii).

LAPOINTE, Mr. E., *Kamouraska.*

I. C. Ry., Board of Control, French Representation (Ques.) 7519 (v).

——— Instructions *re* Sleeping Car Conductors' Residence (Ques.) 4512 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4547 (iii).

LAURIER, Rt. Hon. Sir WILFRID, G.C.M.G., (Prime Minister), *Quebec East.*

Address, The, 40 (i).

——— (M.) *re* Precedence, 5 (i).

——— (M.) to present, 93 (i).

——— Reply from His Ex. (presented) 1586 (i).

Address to Earl Grey on Closing of Term of Office (M.) 8737 (v).

Adjudication of Claims Treaty, Ratification of (remarks) 5003, 5278 (iii).

Agricultural Products exported from 1906-9, Amount, &c. (Ans.) 4618 (iii).

Alcoholism, International Congress, Canadian Representation (remarks) 522 (i).

Albert Medal: *See* 'Reynolds.'

Algoma Free Mail Delivery, Applications *re* (Ans.) 1020 (i).

Allan SS. Co., Calling at Halifax (remarks) 3057, 3210 (ii).

Allard & Provost, Govt. Contracts, &c. (Ans.) 2489 (ii).

——— (remarks) 2636 (ii).

All-Red Route, Rep. *re* Negotiations, Legislation, &c. (Ans.) 269 (i).

Annuities Act. Expenditure *re* Administration, Payments, &c. (Ans.) 2142 (ii).

——— Revenue, &c. (Ans.) 385 (i).

Ash Wednesday Adjournment (M.) 3057 (ii).

Barr, Dr., Decease of (remarks) 201 (i).

Barrie and Allandale, Letter Rate, Res. *re* (Ans.) 169 (i).

Bass River and Little Dyke Lights, Maintenance, &c., Cost (Ans.) 2426 (ii).

Behring Sea Sealing Arbitration, Expenditure by British and Can. Govts. (Ans.) 2717 (ii).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*

Blythe, Walter, Postponed Execution of, on M. (Mr. Wallace) for Papers, 2014 (ii).

Boundaries: *See* 'Manitoba,' 'Provincial.'

B. C. Judicial Apptmts., Delays, &c. (remarks) 6, 8 (i).

B. C. Lt. Governorship, Apptmt. of Mr. Wade, Charges *re* (remarks) on M. for Sup., 527 (i).

—— Recommendations *re* from Political Organizations (Ans.) 382 (i).

Business of the House, Delay, &c. (remarks) 118 (i).

Camborne Postmaster, Pet., *re* Apptmt. (Ans.) 1016 (i).

Canadian Attache at Washington, on prop. Res. (Mr. Lewis) 1583 (i).

—— Agent at Washington (remarks) 4710 (iii).

Canadians entering U. S., Action of U. S. Immigration Agents (remarks) 1101 (i).

Canadian Navy, Number of Applications for Positions (Ans.) 2717 (ii).

—— Pet. to Govt. and Parliament *re* (Ans). 5782 (iii).

—— Purchase of Vessels by Govt. (Ans.) 2931 (ii).

See 'Naval.'

Canada Shipping Act Amt. B. 74 (Mr. Edwards) on M. for 2°, 2161 (ii).

Canadian Shipbuilding, Tenders from Ship Yards on Great Lakes, Conflict with Rush-Bagot Treaty (Ans.) 844 (i).

Central Canada Manufacturers' Mutual Fire Ins. Co.'s B. 123, on Senate Amts, 8657 (v).

Chartered Banks, Shareholders' Rep. (presented) 5759 (iii).

Chinamen, Paying Capitation Tax (Ans.) 7870 (v).

Christmas Adjournment (M.) 923, 1298 (i).

Claims Adjudication Treaty, Ratification, &c. (remarks) 5003, 5278 (iii).

Clarry, L. F., Charges *re* Trent Canal Damages (remarks) 5211 (iii).

Combines Investigation Act B. 101 (Mr. King) in Com., 7937 (v).

—— (remarks) 1363 (i).

Committees, Sel. Standing (M.) 5, 22 (i).

—— Lists (presented) 155 (i).

—— (M.) to add Names, 1001 (i).

Commissions appointed by Govt. since 1896, Expenditures *re*, on M. (Mr. Foster) for Ret., 1977 (ii).

Conservation Commission, Meeting of Com. (Ans.) 1590 (i).

Consuls of Foreign Countries, Official Status in Canada (remarks) 854 (i).

Co-operative Societies B. 26 (Mr. Monk) on Order for 2°, 2156 (ii).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*

—— Consideration of (remarks) 2711, 3206 (ii).

Criminal Code (motor vehicles) Amt .B. 13 (Mr. Lewis) on Order for 2°, 8729; in Com., 8730 (v).

Criminal Code (motors) Amt. B. 75 (Mr. Harris) in Com., 8733 (v).

See "Motor."

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. to ref. to Special Com., 921 (i).

Currency, Distribution of Clean Bills (remarks) 7190 (iv).

Debates, Official, on M. (Mr. Gervais) to conc. in Report of Com., 3053 (ii).

Disallowance of Ontario Legislation, on Inquiry for Reps., 7291 (iv).

Douglas Island, Purchase by Govt., &c. (Ans.) 3166 (ii).

Dredge Construction at Sorel, Estimated Cost (Ans.) 3159 (ii).

Dry Dock Subsidies (prop. res.) 6276 (iv), 8113 (v).

Dual Representation in H. of C. (remarks) 6802 (iv).

Dufferin Election, Date of (remarks) 623 (i).

Dunnville Postal and Customs Revenue, Total Amount (Ans.) 1009 (i).

'Earl Grey' Str., Names of Crew, Wages, (Ans.) 3467 (ii).

Easter Adjournment (M.) 5688 (iii).

Escheats to the Crown B. 206 (Mr. Aylesworth) on M. for Com. on Res., 6508 (iv).

Exchequer Court Act (ry. negligence) Amt. B. 159 (Mr. Aylesworth) in Com., 6186 (iv).

Fenian Veterans, Recognition of Services (remarks) 7068 (v).

Fielding, Mr., Gift to: *See* 'Ministers,' &c.

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5921 (iii).

Fisheries in Man. and N. W. Ter., on Inquiry (Mr. Campbell) for Rep., 1801 (i), 1962 (ii).

See 'Manitoba.'

Fish Fry, Applications for Forms (remarks) 3058 (ii).

Fish Tariff between U. S. and Canada (remarks) 4812 (iii).

French, Sir John: *See* 'Petawawa.'

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 189; on M. for 2°, 765 (i).

German Trade Relations *re* Par. in New York 'Herald' (remarks) 2635 (ii).

Govt. Business, Precedence on Wednesdays (M.) 2221 (ii), 4315 (iii).

Govt. Business for Session, &c. (remarks) 5893 (iii), 6100 (iv).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*
Govt. Ry. Bills, Conference with Senate (M.) 8834 (v).
Govt. Railways Pension Act Amt. B. 19 (Mr. Graham) in Com., 1138, 1142 (i).
Govt. Steamers purchased by Marine Dept. since 1896 (Ans.) 3484 (ii).
Governor General, Address to on Close of Term of Office (M.) 8737 (v).
Grain Mixing by Elevator Men (remarks) 5933 (iv).
Grain shipped and received at Lake Ports, Ont. (Ans.) 445 (i).
Grain Supervisors at Port Arthur and Fort William, Number, &c. (Ans.) 3482 (ii).
G.T.P., Winnipeg to Lake Superior Div., Opening of, Ref to in Speech from Throne (Ans.) 3677 (ii).
See 'N. T. Ry.'
Grenfell Wheat Elevator Accident, Representations *re* (Ans.) 2427 (ii).
Guelph Junction Ry. Co.'s B. 21 (Mr. A. H. Clarke) on M. for 2°, 8380; in Com., 8623 (v).
Halifax Harbour and Big Gun Practice, Res. from Fishermen (remarks) 4714 (iii).
Harland & Wolff, Rep. *re* Shipbuilding (remarks) 1363 (i).
Horse-Racing Regulations (remarks) 6617 (iv).
See 'Criminal,' 'Race Track.'
House of Commons, Reorganization of Staff (M.) 6389 (iv).
—— (remarks) 7071 (iv).
—— (M.) to disch. Order, 7872 (v).
See 'Sessional, &c.
House of Commons Corridors, Ejectment of Coloured Clergyman (remarks) 7182 (iv).
Imperial Conference, Conversion of Cost into Canadian Currency (remarks) 856 (i).
—— Distribution of French Edition (Ans.) 276 (i).
—— Instructions to Canada's Representative (remarks) 923 (i).
—— New Zealand and Australia Papers (remarks) 207 (i).
—— Secretariat, Formation of, on M. (Mr. Foster) for Cor., 413 (i).
Imperial Export Co., Application *re* Service between Can. and Australia (Ans.) 1100 (i).
Indian Lands Sale in Alberta, on Ruling (Mr. Speaker) *re* Irregularity of Discussion (remarks) 119 (i).
Inspection and Sales Act (bread) Amt. Bill, on M. (Mr. Currie) to introduce, 519 (i).
Inspection and Sales Act (potatoes) Amt. B. 54 (Mr. Fisher) in Com. on Res., 807 (i).
I. C. R. Branch Lines B. 17, on Order for 2°, 1803 (i).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*
Internal Economy Commission (presented) 96 (i).
International Fishery Commission, Regulations, &c., Legislation *re* (Ans.) 3490 (ii).
—— Report re (remarks) 2153, 3059 (ii).
See 'Waterways.'
Iron and Steel Bounties (prop. res.) 8362 (v).
Japan-United States Treaty, Safe-guarding Canada's rights (remarks) 5762 (iii).
Jones, Hon. L. M., and Hon. F. T. Frost, Apptmts. to Senate (Ans.) 2189 (ii).
Kitchener, Lord, Cor. *re* Visit to Canada (Ans.) 7519 (v).
Labelle Settlers Grievances, on M. for Sup. (remarks) 8782 (v).
Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2426, 2890 (ii).
Lethbridge Post Office, Accommodation, on M. for Sup., 7784 (v).
L'Institut de Notre Dame des Missions, incorp. B. 80 (Mr. Martin) in Com., 3140 (ii).
Lobster Fisheries Investigation, Report *re* (Ans.) 2149 (ii).
—— on M. (Mr. Sinclair) to conc., 8104 (v).
Magdalen Island and Pictou SS Service, Tenders *re* (Ans.) 7065 (iv).
Manitoba Boundaries, on Amt. (Mr. A. Haggart) to Com. of Sup., 8142 (v).
—— Cor. &c., on M. (Mr. Roche) for Copies, 644 (i).
—— Legislation *re* (Ans.) 131 (i).
Manitoba Fisheries Report, on Ques. of Privilege (Mr. Campbell) 2152 (ii).
—— on Inquiry for, 3480 (ii).
See "Fisheries."
Manitoba Grain Act Amt B. 49 (Mr. Fisher) on Prop. Res., 520 (i).
Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2788 (ii).
Minister of the Crown, Gifts to, &c. (remarks) on M. for Sup., 8789 (v).
Morning Sittings (M.) 6099 (iv).
Motions to Adjn, Rulings of Mr. Speaker (personal explanation) 126 (i).
Motions, Unopposed, Preparation by Depts. (remarks.) 1601 (i).
Motor Vehicles, Injuries B. 13 (Mr. Lewis) on M. for 2°, 2035 (ii).
See "Criminal Code.'
National Anthem, Singing of during Naval Debate (remarks) 3208 (ii).
National Battlefields of Quebec B. 188 (Mr. Aylesworth) in Com., 6600 (iv).
N. T. Ry. Classification, Resignation of Mr. Lumsden (M.) for Special Com., 2330, 2609, 2949 (ii).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*
N. T. Ry. Classification, on Order being called for Com. (remarks) 2198 (ii).
——— Letter to Prime Minister, on Inquiry for, 448, 622 (i).
——— Meeting of Com. (remarks) 3480 (ii).
——— Res. in Com. *re* Reporting to Hse. (remarks) 5197 (iii).
——— Changes *re* Report, on M. for Sup., 5584 (iii).
——— Changes in Rep., on Ques. of Priv. (Mr. Lennox) 5567 (iii).
——— Error in Res. of Com. (remarks) 5278 (iii).
——— on M. (Mr. Taylor) to adjn. debate, 5597 (iii).
——— on M. to conc. in 4th Report of Com., 6017 (iv).
——— (remarks) *re* Printing, 377 (i).
Naturalization Laws, Reply to Imp Govt. *re* (remarks) 7292 (iv).
Naval Defence (B. 95) 1° m., 1732 (i); 2° m., 2952 (ii); Agreed to (Y. 118; N. 78) 5193 (prop. res.) 5195 (iii); in Com., 7393 (v); 3° m., 7528, agreed to (Y. 111; N. 70) 7591 (v).
Naval B. 95, Notice for prop. Res., Naval Dept., 6509 (iv).
——— in Com. on Res., 7294 (iv).
Naval Defence, Information from New Zealand (remarks) 623 (i).
Naval Defence Bill, on Inquiry for (Mr. R. L. Borden) 521, 1100, 1600 (i).
——— On Order for Com. (remarks) 6948 (iv).
——— Stmnt. *re* (remarks) 855 (i).
Naval Defence, Further Cor., on Inquiry for (Mr. Foster) 2931 (ii).
Naval Pensions, prop. Res. (M.) to discharge from Order Paper, 8742 (v).
Naval Service Appointments, Regulations *re* (remarks) 8839 (v).
See 'Can. Navy,' 'Warships.'
N. B. Coal and Ry., Disputed Accounts, Settlements of (remarks) 169 (i).
New York State Canals, Reciprocal Use of by Canadians (remarks) 5207 (iii).
'Niobe,' Purchase of without Parliamentary Authority (remarks) 3481 (ii).
North Pole Territorial Rights, Request of Capt. Bernier (remarks) 2712 (ii).
N.S. Representation in H. of C., *re* Amt. to B.N.A. Act (Ans.) 1965 (ii).
Oaths of Office (B. 1) 1°*, *pro forma*, 3 (i).
Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com. on Res., 8701 (v).
——— (remarks) 521, 1446 (i).
Ottawa and Quebec Representation in H. of C. (remarks) 521, 1446 (i).
——— on Amt. (Mr. Meighen) to Com. of Sup., 1315 (i).
——— Resignation, 1689 (i).
LAURIER, Rt. Hon. Sir WILFRID—*Con.*
Owen Sound Post Office, Apptmts. of Mail Carriers (Ans.) 167 (i).
Petawawa Military Review, Visit of Sir John French, Arrangements *re* (Ans.) 4129 (iii).
Postal Service at Cedar Croft, &c., Number of Persons accommodated (Ans.) 447 (i).
Postmaster General, Absence *re* Official Business (Ans.) 268 (i).
Post Office, Deptl. Rep. (presented) 7 (i).
Post Offices opened in Can., 1909, Weekly Mail Service in N.S., &c. (Ans.) 626 (i).
Private Bills, Consideration of (remarks) 8364, 8380 (v).
——— (M.) to extend time, 1597 (i).
Privilege, Ques. of (Mr. Lake) *re* 'Globe's Rep. of Speech, 2431 (ii).
Proportional Representation in H. of C., on M. (Mr. Monk) for Sel. Com., 138 (i).
——— (M.) for Com., 429 (i).
Provincial Boundaries, Extension Res. Notice to N.B. and N.S. (Ans.) 3167 (ii).
Public Accounts Com., on Amt. (Mr. Blain) to ref. Aud. Gen's Rep., 614 (i).
Quebec Fisheries, Special Regulations, Licences granted, &c. (Ans.) 6940 (iv).
Questions standing as Notices of Motions (remarks) 6941 (iv).
Race Track Gambling B. 6 (Mr. Miller) (M.) to consider Rept. of Special Com., 6398; on Order for Com., 6510; in Com., 6567 (iv).
Ry. Act (liabilities) Amt. B. 2 (Mr. Lancaster) on M. to ref. to Ry. Com., 452 (i).
Railway Act Amt. Bills, Delay in Committees (remarks) 925 (i).
Railway Committee, Rules re (remarks) 8833 (v).
Railway Subsidies (prop. res.) 7873 (v).
Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8598 (v).
Representation: *See* 'Ottawa,' 'Proportional.'
Returns, on Inquiry for (Mr. Foster) 8580 (v).
Reynolds, Conductor, Award of Albert Medal for Heroism (remarks) 3209 (ii).
Ross Rifles, Regulations *re* National Rifle Ass'cn, on M. (Mr. Hughes) to adjn., 4529 (iii).
R.N.W.M. Police, Emplymt. by Alberta and Sask., Arrangements *re* (Ans.) 843 (i).
——— Report (presented) 1730 (i).
Rules of the House, Report, laid on Table, 7867 (v).
——— (M.) *re* Special Com., 1299, 1441 (i).
——— Progress *re* (remarks) 4308 (iii), 5894 (iv), 7528 (v).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*
Rules of the House, (M.) for Com. *re* consideration of Rep., 8365 (v).
——— on prop. Res. (Mr. Lewis) 1537 (i).
Rural Mail Boxes, Destruction of, &c. (Ans.) 630 (i).
——— Locks furnished (Ans.) 784 (i).
Rural Free Mail Deliveries, Number in Operation, Pets., &c. (Ans.) 259 (i).
——— East Elgin, Number, &c. (Ans.) 265 (i).
Rush-Bagot Treaty, Abrogation of, &c. (remarks) 5762 (iii).
——— Violation of *re* War Ships on Great Lakes (remarks) 7520 (v).
See 'U.S.'
St. John Valley Ry., Legislation *re* Operation (remarks) 7292 (iv).
St. Lawrence Power Transmission Co.'s incorp B. 115 (Mr. Pardee) in Com., 6138, 6227, 6722 (iv); on Senate Amts., 8655 (v).
St. Lawrence Ship Channel, Expenditures *re* Deepening, &c. (Ans.) 3169 (ii).
Saturday Sittings of House (M.) 8110 (v).
Senate, Abolition of, Amt. to B. N. A. Act, on prop. Address (Mr. Lancaster) 1993 (ii).
Senate Representation by Provinces, on prop. Res. (Mr. Taylor) 2006 (ii).
Senate Vacancy, Apptmt. *re* P.E.I. (Ans.) 1376 (i).
——— Names of Appointees (Ans.) 386 (i).
Sessional Employees, H. of C. under Pay in January (Ans.) 4514, 5001 (iii).
Souris Life-Saving Station, Ownership of Site (Ans.) 7065 (iv).
Spencer's Island Lighthouse, Total Cost, Contract, &c. (Ans.) 3293 (ii).
Steel Bounties: *See* 'Iron.'
Stenographers for Committees of H. of C., Emplymt. of, Payments to, &c. (Ans.) 8677 (v).
SUPPLY.
Civil Govt.—Naval Service (salaries) 8514 (v); R.N.W.M. Police (salaries) 415; Trade and Commerce (salaries) 415 (i).
Fisheries (protection service) 8509 (v).
Naval Service (maintenance, &c.) 8495 (v).
Ocean and River Service (hydrographic surveys) 8511; (steamers) 8510; (tidal service) 8512; (wireless stations) 8513 (v).
R. N.W.M.P. (rifle ranges) 8802; (salaries) 8802 (v).
Suzerainty to King of England, Report of Minister's Speech at Toronto (Ans.) 2289 (ii).
Sydney Free Mail Delivery, Delays, &c. (Ans.) 1014 (i).
Tariff Negotiations with U.S., on M. (Mr. Fielding) for Com. on Ways and Means, 5993 (iv).
——— (remarks) 5932 (iv).

LAURIER, Rt. Hon. Sir WILFRID—*Con.*
Tourists Post Office, Number temporarily established (Ans.) 170 (i).
Trade and Commerce Deptl. Rep. (presented) 621 (i).
U.S. Claims: *See* 'Claims.'
U.S. Minimum Tariff (remarks) 2153 (ii).
U.S. Training Ships, Number on Great Lakes, &c. (Ans.) 133 (i).
——— Passage through Canals, Consultation of Depts., &c. (Ans.) 108 (i).
——— Violation of Rush-Bagot Treaty (Ans.) 103 (i).
U.S. Warships passing through Can. Canals, on M. (Mr. Edwards) for O. C.'s (amt.) 135 (i).
———on Great Lakes, on M. (Mr. Foster) for Cor., 800 (i).
See 'Rush-Bagot.'
Veterans of 1866-7, Land Grants to (Ans.) 2188 (ii).
War Ships on Great Lakes, Reps. to Imp. Govt. *re* Building (Ans.) 1367 (i).
See 'U.S.'
War Vessels, Negotiations *re* Purchase of (remarks) 2714 (ii).
War Vessels purchased from British Admiralty, O.C.'s *re* &c., (Ans.) 2144 (ii).
See 'Naval.'
Waterways Committee, Meetings, &c. (remarks) 3390 (ii).
——— Rep. (presented) 209 (i).
Waterways Treaty, Announcement, &c. (remarks) 2713 (ii).
——— Cor., Reps., &c., on M. (Mr. R. L. Borden) for Copy, 109 (i).
——— Progress *re* (remarks) 1802 (i).
——— Papers laid on Table, 5932 (iv).
Weekly Report, 'La Revue Hebdomadaire,' French Edition (Ans.) 3482 (ii).
Wireless Telegraphy on Great Lakes (remarks) 3136 (ii).
See 'Supply.'
Year-Book, Expenditure *re* French Distribution (Ans.) 1020 (i).

LAVERGNE, Mr. L., *Drummond and Arthabaska.*
Arthabaska 'Gazette,' Declarations, &c., *re* Franking Privileges (M. for copies*) 2149 (ii).
Eastern Townships Ry. Co.'s (B. 30) 1°*, 379 (i).
Montmagny Fire Insurance Co.'s B. 51, on M. for 3°, 2280 (ii).
Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1095 (i).

LAW, Mr. B. B., *Yarmouth.*

SUPPLY—

Public Works—Harbours and Rivers—N.S. (Burk's Head) 981; (Port Maitland) 1166; (Yarmouth) 1191 (i).

LEMIEUX, Hon. R. (Postmaster General), *Gaspé.*

'Air Brake Magazine,' Postal Regulations *re* (remarks) in Com. of Sup., 6694 (iv), 8118 (v).

Blairmore Station Mail Service (Ans.) 7871 (v).

Boar's Back Post Office, Name of New Office, &c. (Ans.) 5779 (iii).

——— Pet. *re* (Ans.) 4313 (iii).

Cable Rates Bills: *See* 'Ry. Act Amt. B. 104,' 'Ocean.'

Camborne Post Office, Pet. *re* Removal (remarks) 2713 (ii).

Central Park, B. C., Post Office, Pet. *re* Closing, &c. (Ans.) 2188 (ii).

——— (remarks) in Com. of Sup., 6709 (iv).

——— Discontinuance of Mail Service (Ans.) 2293 (ii).

Civil Service Act (P. O. inspectors) Amt. (B. 197) prop. Res., 6100 (iv).
See 'P. O. Inspectors.'

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com. on Res., 6955; in Com., 7310 (iv).

'Cotton's Weekly,' Answers of P.M.G. (remarks) in Com. of Sup., 8819 (v).

——— Discrimination *re* Postage, &c. (Ans.) 4517 (iii).

——— Discrimination *re* Postage (remarks) in Com. of Sup., 5756, 5895 (iii).

Dauphin Post Office Date of Opening (remarks) 3136 (ii).

Delisle, Postmaster, Alfred Gagne, Removal, &c. (Ans.) 4516 (iii).

Dixon Post Office, Pet. *re* Removal (Ans.) 3293 (ii).

——— (remarks) in Com. of Sup., 7863 (v).

Dolbeau Postmaster, J. Tremblay, Removal, &c. (Ans.) 4516 (iii).

Dunkin and Highwater Mail Service, Complaint of Mr. C. A. Barnett *re* (Ans.) 4312 (iii).

Edmonton, Calgary, &c., Post Office Revenues per month, Number of Employees, &c. (Ans.) 1590 (i).

Franking Privilege, Political Literature, &c. (remarks) 7800 (v).

Frontenac Mail Contracts, Pets. *re* (Ans.) 7066 (iv).

——— Routes, Revenue, &c. (Ans.) 5105 (iii).

Frontenac County Post Offices (remarks) in Com. of Sup., 6662 (iv).

Gowganda Post Office (remarks) in Com. of Sup., 7865 (v).

LEMIEUX, Hon. R.—*Con.*

Great Northwestern Tel. Co. and Night Letter *re* French Language (remarks) 8241 (v).

Grenville and Grenville Village Mail Service, Number of Tenders called for, &c. (Ans.) 132 (i).

Hansard Debates, Omissions from (remarks) 7880 (v).

Holland Post Office Boxes (remarks) 7881 (v).

Innisfail Rural Mail Delivery (remarks) in Com. of Sup., 7865 (v).

Kilmant and Shackleton Post Office, Application *re* Opening (remarks) in Com. of Sup., 6651 (iv).

Lachute Post Office, Opening of (remarks) 5690 (iii).

Letellier Mail Service, Date of Contract (Ans.) 7290 (iv).

Lethbridge Post Office Facilities, on Inquiry for Ret., 3683 (ii).

——— on M. for Sup., 7782 (v).

——— Total Revenue, &c. (Ans.) 3933 (ii).

Mails addressed to Streets, Free Delivery, &c. (remarks) 8119 (v).

——— (Ans.) 7869 (v).

Mails between Montreal and Lower Provs. (remarks) 8582 (v).

Mail Contracts with Capt. Noonan, Remuneration *re* (Ans.) 1379 (i).

Mail Delivery at Sydney (remarks) 3137 (ii).

Mail Privileges of Members *re* Postal Regulations (Ans.) 2146 (ii).

Markham Post Office, Completion and Opening (remarks) 3137 (ii).

Metabetchouan Postmaster, Jean Gauthier, Removal of, &c. (Ans.) 4515 (iii).

Milledgeville-Holderville, N. B., Mail Route, Tenders, &c. (Ans.) 4518 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3023 (ii).

——— (remarks) 4978 (iii).

——— on Ques. of Order *re* Ref. to Gov. Gen., 4206 (iii).

Newspaper Postage to U. S., Classification, Amount collected, &c. (Ans.) 1973 (ii).

New Westminster, B.C., Post Office, Application *re* (Ans.) 2952 (ii).

North Bay P. O. Inspector(remarks) in Com. of Sup., 7863 (v).

Obscene Literature: *See* 'Skill.'

Ocean Cables Co.'s B. 104 (Mr. Lemieux) on Senate Amts., 8388 (v).
See 'Cables.'

Parry Sound Mail Service (remarks) in Com. of Sup., 5758 (iii).

Postal Regulations during Parliamentary Recess (Ans.) 2486 (ii).

LEMIEUX, Hon. R.—*Con.*

Postal Violations, Penalties, &c. (Ans.) 2292 (ii).

Post Office Act (ry. mail clerks inspectors) Amt. (B. 197) in Com. on Res., 6601; 1° m., 6389; in Com., 7313 (iv).

Post Office Act Amt. Bill (remarks) in Com. on Civil Service B., 6955 (iv).

Post Offices, Closing on Sundays, Statmt. *re* (Ans.) 2932, 3673 (ii).

See 'Winnipeg.'

P. O. Inspectors, Salary Increases, Pets. *re* (Ans.) 3168 (ii).

Post Offices, Location in Federal Buildings, System of rating Employees, &c. (Ans.) 5780 (iii).

Post Office Parcel Delivery, Signing for (remarks) 3682 (ii).

Post Office Promotional Examination, 1908, Accepted answer to question 4 (Ans.) 2290 (ii).

Powassan-Nipissing Mail Routes, Pets. *re* Changes, &c. (Ans.) 109 (i).

Quebec Judges Superior Court Act Amt. B. 207 (Mr. Aylesworth) in Com. on Res., 6979 (iv).

Quebec-Levis Mail Service, Contract *re* (Ans.) 6390 (iv).

Quesnel-Fort George Mail Service, Contract *re* (Ans.) 6941 (iv).

Ry. Act (cable rates) Amt. (B. 104) 1° m., 2136 (ii); 2° m., 6007; in Com., 6010 (iv); on Sen. Amts., 8388 (v).

Ry. Mail Clerks, Application *re* Salaries, &c. (Ans.) 6390 (iv).

——— Recommendation of C. S. Commission *re* Standard Cars (Ans.) 5106 (iii).

——— Salary Increase (remarks) in Com. of Sup., 6679 (iv).

Retail Merchants Association B. 210 (Mr. Gervais) in Com., 7868 (v).

River Herbert and Minudie Mail Contracts, Name of Contractor (Ans.) 1380 (i).

St. Simeon-Tadousac Mail Service, Tenders *re* (Ans.) 3936 (ii).

Salmon River Postmastership, Vacancy, &c. (Ans.) 2930 (ii).

Scotsburn-Loganville Mail Contract, Apptmt. of Postmaster, &c. (Ans.) 2290 (ii).

Skill and King, Sale of Obscene Literature, &c. (Ans.) 7517 (v).

Sunday Postal Office, Winnipeg, Closing of (remarks) 2932 (ii).

See 'Post Office.'

SUPPLY.

Civil Govt.—Post Office (salaries) 6650 (iv). Mail Subsidies and SS. Subventions (Riviere du Loup and Tadousac) 5711 (iii).

LEMIEUX, Hon. R.—*Con.*

SUPPLY—*Con.*

Post Office (contingencies) 5607 (iii); Outside Service (contingencies) 8818 (v); (R. G. Mercer) 5755; (rural delivery) 5753 (iii); (salaries) 5752 (iii), 7863 (v); Public Works—Harbours and Rivers—Que. (Becancour) 3865; (Bic) 3872; (Cap a l'Aigle) 3882; (Gaspe) 3893; (Godfroy) 3899; (Grand Mechin) 3901; (Grand Riviere) 3903 (ii); (Laprairie) 4221 (iii); (Malbaie) 3907 (ii); (Riviere Ouelle) 4212; (St. Andre de Kamouraska) 4230; (Ste. Anne des Monts) 4232; (Ste. Croix) 4241 (iii).

Public Works—Miscellaneous (McGee, Hon. D'Arcy, monument) 6159 (iv).

Telegraphs Act Amt. (B. 105) 1° m., 2138 (ii); in Com., 6011 (iv); on Senate Amts., 8389 (v).

——— (B. 234) 1° m., 8776; in Com., 8777 (v).

See 'Ocean.'

Toronto Sub-Post Offices, Owner of Buildings, Salaries, &c. (Ans.) 3678 (ii).

Troy, Inverness, N. S., Postmaster, Investigation *re* Dismissal (Ans.) 7288 (iv).

Williamsville Post Office Revenue, Pet. *re* Removal, &c. (Ans.) 7288 (iv).

Windygate Post Office, Pet. *re* Change (Ans). 2930 (ii).

——— Pet. *re* Removal (Ans.) 3168 (ii).

——— on Inquiry for Ret. (Mr. W. H. Sharpe) 8118 (v).

——— (remarks) 8364 (v).

Winnipeg Post Office, Closing on Sundays (remarks) 3135, 3673 (ii).

——— (remarks) *re* Answer, 3484 (ii).

See 'Sunday,' &c.

LENNOX, Mr. H., *South Simcoe.*

Agriculture Dept., Administration of, on M. for Sup., 7202 (iv).

Barrie and Allandale Letter Rate, Res. *re* (Ques.) 169 (i).

Barrie Post Office Square (remarks) in Com. of Sup., 7172 (iv).

Bills from Senate, Numbering, &c. (remarks) 6177 (iv).

Bourgeois, Mr. B., Dismissal from N. T. Ry., &c. (Ques.) 3166, 3676 (ii).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7301 (iv).

Clarry, L. F., Charges *re* Trent Canal Flood Damages, on M. for Sup., 5209 (iii).

——— Instructions, Payments, &c., as Agent *re* Trent Canal Lands (Ques.) 6391 (iv).

——— Payments to *re* Trent Canal Damages (Ques.) 7516 (v).

——— Total Amount of Account with Ry. Dept. (Ques.) 5781 (iii).

Combines Investigation Act Amt. B. 101 (Mr. King) on M. for Com. on Res., 6806 (iv).

LENNOX, Mr. H.—*Con.*

Conservation of Natural Resources B. 185 (Mr. Fisher) in Com. on Res., 5885 (iii).
'Cotton's Weekly,' Discrimination *re* Postage (remarks) in Com. of Sup., 5755 (iii).
Criminal Code (copyright) Amt. (B. 41) 1° m., 430; 2° m., 805; on Order for Com., 1209 (i).
Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6632 (iv).
Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3482, 3872 (ii).
Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8696 (v).
Exchequer Court Act (ry. negligence) Amt. B. 159 (Mr. Aylesworth)in Com., 6184 (iv).
French Treaty B. 12 (Mr. Fielding) in Com. on Res., 176 (i).
Gold Specie, Statutory Provision *re* Reserve (Ques.) 3294 (ii).
G. T. P., Construction Contracts, Provisions *re* Forfeits, &c. (Ques.) 387 (i).
——— Eastern Div., Survey, Location, &c., Names of Engineers, &c., (M. for ret.*) 1687 (i).
——— Engineers' Complaint against Arbitrators (Ques.) 2141 (ii).
——— and N. T. Ry. Commission, Investigations *re* Classification, &c. (Ques.) 260 (i).
See 'Natl. Transcl..'
——— Progress Estimates, Amounts claimed in District 'A' Contract (Ques.) 2140 (ii).
Hodgins Investigation *re* N. T. Ry., Payments *re* Legal Services, &c. (Ques.) 7064 (iv).
Holland River, Channel from Devil's Elbow to Bradford Station, Pet. *re* (Ques.) 170, 626 (i).
See 'Trent.'
Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5534, 5819, 5840 (iii).
Innisfail Rural Mail Delivery (remarks) in Com. of Supply, 7865 (v).
Inspection and Sale Act (potatoes) Amt. B. 54 (Mr. Fisher) in Com. on Res., 808 (i).
I.C.R., on Annual Stmnt., 2799 (ii).
I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1112 (i).
James Bay and Eastern Ry. Co.'s incorp. B. 128 (Mr. Girard) in Com., 5723, 5763 (iii).
Labour Hours on Public Works, on M. to conc. in 2nd Rep. of Com., 2889 (ii).
Lobster Fisheries Investigation Rep., on M. (Mr. Sinclair) to conc., 8107 (v).
Manitoulin and North Shore Ry. Co.'s B. 113 (Mr. Tolmie) in Com., 3431 (ii).
Marieville Post Office, Que. of Order in Com. of Sup., 686 (i).

LENNOX, Mr. H.—*Con.*

N.T.Ry., Adjustment of disputed Item in Letter of Aud. Gen., O.C.'s, &c. (M. for copies*) 3495 (ii).
——— Arbitration Agreement of 14th May, 1909, Acceptance of, &c. (Ques.) 2137 (ii).
——— Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2335; Amt. Neg. (Y. 65; N. 109) 2629 (ii).
——— Changes in Rep. of Com., Ques. of Priv., 5562 (iii).
——— Changes in Rep., on M. for Sup., 5585 (iii).
——— Classification submitted to Mr. Lumsden on 16th March, 1909 (Ques.) 261 (i).
——— Classification, Letters of Aud. Gen., Cor., &c. (M. for copies*) 643 (i).
——— Letters of Aud. Gen., &c. (Ques.) 386 (i).
——— Letter of Mr. Lumsden *re* Mr. Doucet's Opinion, &c. (Ques.) 839 (i).
——— Meeting of Com. (remarks) 3480 (ii).
——— Memorandum from Chairman to Prime Minister (Ques.) 2139 (ii).
——— Objections *re* Classification, &c. (M. for ret.*) 3169 (ii).
——— (Ques.) 2297 (ii).
——— 4th Rep. of Com. (M.) to consider, 5820 (iii).
——— on M. to conc. in 4th Report of Com., 6015 (iv).
N.T.Ry., Lumsden Charges, Appmt. of Counsel, on M. to conc. in 3rd Rep. (amt.) 4071, Neg. (Y. 66; N. 100) 4076 (iii).
——— Royal Commission (prop. res.) on M. for Sup., 8242 (amt.) 8261, Neg. (Y. 62; N. 105) 8341 (v).
N. T. Ry. Commission, McIntosh, Mr., Promotion, &c., Certificates, Cor. (M. for copies*) 1686 (i).
——— Promotion of, (Ques.) 839 (i).
——— Inquiry for Ret., 3682 (ii).
——— Names of Contracts, Estimated Expenditure, &c. (M. for ret.*) 2297 (ii).
N.T.Ry., Contract to O'Brien & Fowler, &c., Estimated Quantities, Expenditure, &c. (Ques.) 2715 (ii).
——— Estimate of Work, &c. (Ques.) 3490 (ii).
——— Payments *re* Excavations, &c. (Ques.) 3291 (ii).
N.T.Ry., Estimated Cost of Excavations, on District 'F' (Ques.) 2285 (ii).
——— Hodgins, Major, Name of Ass't Engineer in Aug. and Sept., 1907 (Ques.) 2284 (ii).
——— McArthur Contract, Name of Signatory (Ques.) 3491 (ii).

LENNOX, Mr. H.—*Con.*

N. T. Ry., Rep., Distribution of (remarks) 622 (i).

——— Portions surveyed by G.T.P., Change of Location, &c. (Ques.) 2283 (ii).

——— and Quebec Bridge, Expenditures *re* Surveys, &c. (Ques.) 6392 (iv).

——— Tunnel east of Winnipeg, Length, &c. (Ques.) 2284 (ii).

——— Winnipeg and Lake Superior Division, Completion of, &c. (Ques.) 2284 (ii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4752, 4814, 4819, 5235, 5281 (iii).

Northern Quebec Colonization Ry. Co.'s incorp. B. 152 (Mr. Turcotte) in Com., 5723 (iii).

Ottawa Improvement Commisison B. 230 (Mr. Fielding) in Com. on Res., 8701 (v).

Ottawa Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin) on Amt., in Com., 1365 (i).

Prince Albert and Hudson Bay Co.'s B. 69 (Mr. Neely) in Com., 4753, 4840 (iii).

Public Accounts Com., on M. to ref. Aud. Gen.'s Rep. to Com., 602 (i).

Quebec Bridge Co., Payments to Directors at time of Collapse (Ques.) 3485 (ii).

——— Payments by Govt., Rate of Interest, &c. (Ques.) 628 (i).

——— Tenders for New Piers, &c. (Ques.) 840 (i).

Ry. Act (level crossings) Amt. B. 4 (Mr. Lancaster) on M. for 2°, 472 (i).

Railway Crossings, Application to Board *re* Protection, &c. (M. for ret.*), 277 (i).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Reid) in Com., 6171 (iv).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 7868 (v).

Royal Military College Act Amt. B. 180 (Sir Frederick Borden) in Com. on Res., 5785 (iii).

St. Lawrence Power Transmission Co.'s B. 115, in Com., 5841 (iii), 6138, 6672, 6721; (amt.) 6725; on M. for 3°, 6886 (iv).

SS. Passengers landing at St. John, N.B., Treatment of by Officials (remarks) 7976 (iv).

——— Treatment of at Halifax (remarks) 8477 (v).

Supply B. 173 (Mr. Fielding) in Com., 5531 (iii).

SUPPLY—

Adulteration of Food (prosecutions) 1348 (i).

Post Office—Outside Service (R. G. Mercer) 5755 (iii).

Public Works—Buildings—Ottawa (deptl., new) 7169 (iv).

LENNOX, Mr. H.—*Con.*

SUPPLY—*Con.*

Public Works—Buildings—Que. (Roberval) 929; (St. Jacques de l'Achigan) 954 (i).

Public Works—Dredging (new plant) 4755 (iii).

Public Works—Harbours and Rivers—Ont. (St. Lawrence River Channel) 3834 (ii).

Public Works—Harbours and Rivers—Que. (Cabano) 3879; (Cap de Chatte) 3889; (Chateauguay) 3886; (Chicoutimi) 3887; (Contrecoeur) 3889; (Doucet's Landing) 3890; (Fort William) 3891; (Gaspé) 3893; (Grand Mechin) 3900; (Grand Vallée) 3904; (Harrington wharf) 3906; (Matane) 3907; (Murray Bay) 3908; (Natashquan) 3911 (ii).

Railways—Hudson Bay (surveys) 3068 (ii).

Railways—I.C.R. (air brakes) 2881; (Beresford subway) 2872; (Chatham diversion) 2874; (drawbars) 2882; (Halifax) 2884; (highways) 2882; (Lac au Saumon) 2884; (side ladders) 2945 (ii).

Railways—N.T. Ry. (construction, &c.) 5232 (iii), 5249 (iv), 8360 (v).

Railways (Quebec bridge) 3078 (ii).

Tariff Negotiations with U. S., Ques. of Priv., 5759 (iii).

Tariff Negotiations with U. S., Intermediate Tariff, &c.(remarks) 5892 (iii).

Trent Canal, Bradford Channel, Survey, &c. (Ques.) 384 (i).

——— Damages by Floods, Charges *re* L. F. Clarry, &c., on M. for Sup., 5209 (iii).

Trent Canal, Clarry, Mr. L. F., Charges *re* (remarks) 4714 (iii), 6096 (iv).

See 'Clarry.'

——— Floods in Twp. of Asphodel, Payment of Damages, Names, &c. (Ques.) 3733 (ii).

——— Rep. *re* Kempenfeldt Bay, &c. (Ques.) 169 (i).

Wharfs transferred to Marine Dept. (remarks) in Com. of Sup., 3883 (ii).

Zinc Ores Smelting Investigation B. 182 (Mr. Templeman) in Com. on Res., 5797 (iii).

LEWIS, Mr. E. N., *West Huron.*

Address, The, 82 (i).

Barr, Dr., Decease of (remarks) 380 (i).

Blythe, Walter, Postponed Execution of, on M. (Mr. Wallace) for Papers, 2013 (ii).

Capital Offences and Offensive Weapons (B. 14) 1°*, 204 (i).

Canadian Attache at Washington (prop. res.) 1582 (i).

Canadian Business Agent at Washington (remarks) 4708 (iii).

Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6861 (iv).

Company Promoters, Legislation *re* Protection to Public (Ques.) 5104 (iii).

Consuls of Foreign Countries, Official Status in Canada (remarks) 853 (i).

LEWIS, Mr. E. N.—*Con.*

Criminal Code (assaults, &c.) Amt. (B. 71) 1°*, 1360 (i).
Criminal Code (automobiles) Amt. (B. 13) 1° m., 201 (i); 2° m., 2035 (ii); in Com., 8729 (v).
Currency, Govt. Assistance to Clean Circulation (Ques.) 8238 (v).
——— Distribution of Clean Bills (remarks) 7188 (iv).
Daylight Saving (B. 72) 1°*, 1361 (i).
Immigration Act Amt. (B. 135) 1° m., 3133 (ii).
Immigrants from Europe, Number for 1908, 1910 (Ques.) 7872 (v).
Inspection of Vessels (B. 47) 1° m., 515 (i).
Load Lines on Ships (B. 10) 1° m., 162 (i); 2° m., 2035 (ii).
Marine and Fisheries Committee, on M. (Mr. Sinclair) to conc. in 2nd Rep. 3133 (ii).
Meat and Canned Food Act Amt. B. 193 (Mr. Fisher) in Com., 6302 (iv).
Motor Vehicles Injuries (B. 13) 2° m., 2035 (ii).
See 'Criminal Code.'
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4403 (iii).
Oaths, Administration of (B. 100) 1° m., 1878 (i).
Offences against the Person (B. 71) 2° m., 2040 (ii).
Press Gallery Reports, Subsidy to (remarks) 4712-3 (iii).
Ry. Act (sanitary conditions) Amt. (B. 66) 1° m., 1297 (i).
Rules of the House, Amt. to (prop. res.) 1536, 1545 (i).
——— Progress of Committee (remarks) 4307, 5893 (iii).
Tariff Negotiations with U. S., Information *re* (remarks) 5891 (iii).
Wireless Telegraphy on Great Lakes (remarks) 3135 (ii).
——— on Ships (B. 11) 1° m., 163 (i); 2° m., 2035 (ii).

LOGGIE, W. S., *Northumberland, N.B.*

Budget, The, 2178, 2215, 2222 (ii).
Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6972 (iv).
Selkirk Dock, Collections, &c. (remarks) in Com. of Sup., 3885 (ii).

SUPPLY—

Dredging (new plant) 4767 (iii).

LORTIE, Mr. J. A., *Soulanges.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5069 (iii).

LOW, Mr. T. A., *South Renfrew.*

Budget, The, 1864 (i).
Georgian Bay Canal, Construction, on M. (Mr. White) for O. Cs., &c., 3531 (ii).
Ontario and Ottawa Ry. Co.'s incorp. (B. 129) 1°*, 2792 (ii).

MACDONALD, Mr. E. M., *Pictou.*

Combines Investigation B. 101 (Mr. King) in Com., 6917 (iv), 7882 (v).
Govt. Railways Pension Act Amt. B. 19 (Mr. Graham) in Com., 1140 (i).
I. C. R., on Annual Stmnt., 2854 (ii).
——— Board of Management, Additional Powers (Ques.) 627 (i).
——— Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1117 (i); on M. for 3°, 2209 (ii).
Iron and Steel Bounties B. 231 (Mr. Fielding) in Com., 8769 (v).
N. T. Ry., Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2414 (ii).
——— Lumsden Charges, Res. in Com. *re* Reporting to Hse (remarks) 5197 (iii); Ques. of Order, 5199 (iii).
——— on Ques of Priv. (remarks) 5570 (iii).
——— Changes in Report, on M. for Sup., 5572 (iii).
——— on M. (Mr. Lennox) to conc. in 4th Rep. of Com., 6070 (iv).
N. T. Ry. Prop. Res. *re* Royal Commission (Mr. Lennox) to Com. of Sup., 8302 (v).
——— Lumsden Charges, Payment of Counsel Fees (M.) 8832 (v).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3386, 3575 (ii); in Com., 7474 (v).
P. E. I. Winter Communication, Memorials, &c., *re* Change of Route, on M. (Mr. Warburton for Copies, 3191 (ii).

SUPPLY—

Arts, Agriculture, &c. (experimental farms) 7357 (iv).
Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6384 (iv); in Com., 8084 (v).
Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8011 (v).
Water Power in Ry. Belt, B. C., B. 187 (Mr. Oliver) in Com., 8718 (v).

MACDONELL, Mr. A. C., *South Toronto.*

Alien Labour Law, Abolition of, Pets. *re* (Ques.) 271 (i).
Baby Farm Sale B. 181 (Sir Frederick Borden) in Com., 5941, 6004 (iv).
'Bessemer No. 2,' Wreck on Lake Erie, Negligence re Signals (M.) to adjn House, 1597 (i).
Calgary and Fernie Ry. Co.'s (B. 168) 1°*, 5617 (iii).

MACDONELL, Mr. A. C.—*Con.*

Dominion Bank (B. 171) 1°*, 5617 (iii).
Dom. Elections Act (deposits) Amt. (B. 22) 1° m., 256 (i).
Dom. Lands in Man., Sask., &c., Total Area of Arable Lands (Ques.) 2925 (ii).
Elections Act (deposits) Amt. (B. 22) 2° m., 1268, 1270 (i).
Extension, B. C. Mining Disaster, Medals awarded, Investigation, &c. (Ques.) 270 (i).
Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6739 (iv).
Immigrants Treatment *re* Deportations, &c. (remarks) 6945 (iv).
Industrial Disputes Act Amt. (B. 23) 1° m., 257; 2° m., 1296 (i).
——— Consideration of (remarks) 6941 (iv).
——— (personal explanation) 8116 (v).
Labour, Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1213 (i).
Labour, Hours on Public Works, on M. to conc. in 2nd Rep. of Com., 2890 (ii).
Lambton Barracks, Appropriation *re* (Ques.) 270 (i).
Land Titles Act, Moneys received, &c. (M. for ret.*) 1022 (i).
Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6318 (iv).
Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6223 (iv).
North Atlantic Fisheries, Date of Meeting at The Hague, Counsel, &c. (Ques.) 271 (i).
North Atlantic Trading Co., Pet. *re*, on M. (Mr. Monk) for Copy, 1571 (i).
Ottawa Buildings Design, Competition, &c. (Ques.) 6180 (iv).
Peace River District, Estimated Acreage of Arable Land, &c. (Ques.) 2924 (ii).
Phœnix Assurance Co.'s (B. 45) 1°*, 515 (i).
Ry. Act (cheap rates) Amt. (B. 24) 1° m., 257 (i).
Ry. Mail Clerks, Application *re* Salaries, Positions, &c. (Ques.) 6390 (iv).
Rescue Station in Coal Mining District, Establishment by Govt. (Ques.) 3935 (ii).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5485 (iii).
School Slates and Lead Pencils, Quantity imported into Can., Valuation, &c. (Ques.) 6506 (iv).
S. A. Veterans Association, Military Reserve, (M. for cor.*) 2149 (ii).
SUPPLY—
Public Works—Harbours and Rivers—Que. (Laprairie) 4223 ; (Three Rivers) 4247 (iii).
Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1048 (i).
Toronto Barracks, Site on Humber River, Disposal of (Ques.) 3167 (ii).

MACDONELL, Mr. A. C.—*Con.*

Toronto Eastern Ry. Co.'s incorp. B. 116 (Mr. Fowke) in Com., 6771 (iv).
Toronto Harbour Expenditure (remarks) in Com. of Sup., 4250 (iii).
Treaties with U.S., Number, Dates, Operation, &c. (Ques.) 268 (i).
Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 1°, 4998 (iii).

MACLEAN, Mr. W. F., *South York, Ont.*

Address, The, 52 (i).
Baby Farm Sale B. 181 (Sir Fred. Borden) in Com., 5941, 6003 (iv).
Budget, The, 1626 (i).
Combines Investigation B. 101 (Mr. King) on M. for 3°, 7998 (v).
Debates, Official, 1st Rep. of Com., on M. to conc., 514 (i).
French Treaty B. 12 (Mr. Fielding) in Com. on Res., 173 (i).
Imperial Conference Secretariat, Formation of, on M. (Mr. Foster) for Cor., 403 (i).
Industrial Disputes Act Amt. B. 198 (Mr. King) in Com., 8032 (v).
I.C.R., on Annual Stmnt., 2810 (ii).
I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1102; in Com., 1133 (i).
Iron and Steel Bounties B. 231 (Mr. Fielding) in Com., 8766 (v).
Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6283 (iv).
Natural Resources Conservation B. 185 (Mr. Fisher) prop. Res., 5687 (iii); on M. for 2°, 6335 (iv).
Naval Defence B. 95 (Sir Wilfrid Laurier) on Amt. (Mr. Northrup) to M. for 2°, 5142 (iii); in Com., 7397 (v).
Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com., 8770 (v).
Race Track Gambling B. 6 (Mr. Miller) on M. (Sir Wilfrid Laurier) to conc. in Special Rep. of Com., 6399 (iv).
——— on M. for Com., 6468 (iv).
——— on order for Com., 6509; in Com., 6501, 6510 (iv).
Railway Committee, on M. (Mr. Lancaster) to reduce Number, 8736 (v).
Railway Passenger Service, Delays, Inefficiency, &c., Ques. of Priv., 378 (i).
Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8048 (v).
Rules of the House, on M. (Sir Wilfrid Laurier) for Special Com., 1442 (i).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5457 (iii).

MACLEAN, Mr. W. F.—*Con.*

SUPPLY.

Mail Subsidies and SS. Subventions (Canada and Cuba) 5709 (iii).

Tariff Negotiations with U.S., on M. (Mr. Fielding) for Com. on Ways and Means, 5951, 5977 (iv), 8755 (v).

——— (remarks) 5690 (iii).

Telegraphs Act Amt. B. 234 (Mr. Lemieux) in Com., 8777 (v).

'Toronto World', Ownership by Govt., Ques. of Priv., 5998 (iv).

MACNUTT, Mr. T., *Saltcoats.*

Hudson Bay Ry., Survey, Obstructions, &c. (remarks) 7187 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5091 (iii).

McALLISTER, Mr. D. H., *King's and Albert*

I.C.R. Sale of, on prop. Res. (Mr. Black) 2308 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4879 (iii).

McCALL, Mr. A., *Norfolk.*

Budget, The, 1655 (i).

Port Dover Wharf (remarks) in Com. of Sup., 3464 (ii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5489 (iii).

SUPPLY.

Public Works—Harbours and Rivers—N.B. (creosoted timber) 3453 (ii).

Public Works—Harbours and Rivers—Ont. (Byng Inlet) 3461 (ii).

Public Works—Miscellaneous (monuments) 6160; (Ottawa, water storage dams) 6162 (iv).

McCARTHY, Mr. M. S., *Calgary.*

Coal, Timber and Indian Lands in Alberta, &c., Revenue *re* Royalties, &c. (M. for ret.*) 414 (i).

Drinkle, Hope Eileen Moreland Relief (B. 134) 1°*, 3133 (ii).

Edmonton, Calgary, &c., Post Office Revenue per month, Number of Employees, &c. (Ques.) 1590 (i).

Grain Shipment from the West (M. for papers*) 1687 (i).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) on M. for 2°, 2675 (ii).

Petroleum Locations on Athabaska River, Reports *re*, &c. (Ques.) 3493 (ii).

R.N.W. M. Police Barracks, Calgary, Applications *re* Transfer to Ry. Corporations (Ques.) 1206 (i).

McCARTHY, Mr. M. S.—*Con.*

Southern Alberta Land Co., Description of Areas under Agreements with Govt. (M. for ret.*) 1686 (i).

Yukon Territory, Goods admitted free of duty, Value, &c. (Ques.) 3492 (ii).

McCOIG, Mr. A. B., *West Kent.*

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6990 (iv).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6318 (iv).

Rondeau Park Forest, Removal of by Provl. Govt. (remarks) 6944 (iv).

SUPPLY—

Public Works—Harbours and Rivers—N.S. (Port Maitland) 1174 (i).

McCOLL, Mr. J. B., *West Northumberland, Ont.*

Race Track Gambling B. 6 (Mr. Miller) on M. for 2°, 875 (i); on M. for Com., 6431; in Com., 6500, (amt.) 6501; in Com., 6524; 6578, (amt.) 6580, agreed to (Y. 78; N. 77) 6587; in Com., 7265 (iv).

St. Clair and Erie Ship Canal (B. 136) 1°*, 3296 (ii).

McCRANEY, Mr. G. E., *Saskatoon.*

Committee on Standing Orders, 3rd Rep. (M.) to conc., 6605 (iv).

Mar. Provinces, Representation in H. of C., Pet. *re* B.N.A. Act, on prop. Res. (Mr. Kyte) 2756 (ii).

Ottawa and Montreal Power Transmission Co.'s Bill (M.) to conc. in 3rd Rep. of Com., 6504 (iv).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7149 (iv).

McGIVERIN, Mr. H. B., *Ottawa.*

Brandon, Saskatchewan and Hudson Bay Ry. Co.'s B. 213 (Mr. Pardee) on M. for 2°, 7868 (v).

Mond Nickel Co.'s Patent Relief (B. 92) 1°*, 1731 (i); in Com., 3090 (ii).

Montreal, Ottawa and Georgian Bay Canal Co.'s (B. 58) 1°*, 1099 (i); in Com., 2258 (ii).

Ottawa, Northern and Western Ry. Co.'s (B. 34) 1°*, 380; in Com., 1364 (i).

Union Life Assurance Co.'s (B. 36) 1°*, 380 (i); in Com., 2098 (ii).

McKENZIE, Mr. D. D., *Cape Breton, North.*

Govt. Railways Act Amt. B. 232 (Mr. Graham) in Com., 8775 (v).

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1245 (i).

Indian Act Amt. B. 141 (Mr. Oliver) on M. for 2°, 5925 (iii).

McKENZIE, Mr. D. D.—*Con.*
I.C.R., Sale of, on prop. Res. (Mr. Black) 2317 (ii).
Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2773 (ii).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M for 2°, 4343 (iii).
Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 5679 (iii).
Preston, W. T. R., Judgments, Reps. *re* Libel Suits (M. for copy) 656 (i).
SUPPLY.
Public Works—Harbours and Rivers—N.S. (Burk's Head) 979; (Pictou Island) 1000 (i).

McLEAN, Mr. H. H., *Sunbury and Queens.*
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3798 (ii); in Com., 7443 (v).

McLEAN, Mr. M. Y., *South Huron.*
Combines Investigation Act B. 101 (Mr. King) on M. for Com. on Res., 6872 (iv); in Com., 7905 (v).
Grand Bend Pier (remarks) in Com. of Sup., 3861 (ii).
Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4413 (iii).
—— (remarks) 4928 (iii).
Privilege, Ques. of *re* Interrupting Mr. Clare, *re* Speech on Naval Bill, 5200 (iii).
Race Track Gambling B. 6 (Mr. Miller) in Com., 7269 (iv).

MADDIN, Mr. J. W., *South Cape Breton.*
Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 882 (1); in Com., 6495, 6573 (iv).
Fisherman's Bait Association, Amounts paid per ton, &c. (Ques.) 1015 (i).
Grand Mira Wharf, Contract *re*, Cost, &c., (Ques.) 6799 (iv).
Gull Cove Breakwater, Recommendations of Engineer (Ques.) 6798 (iv).
Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5844 (iii).
I. C. R., on Annual Stmnt., 2864 (ii).
Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1237 (i).
Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2911 (ii).
Ottawa and Quebec East Representation in the House of Commons, on Amt. (Mr. Meighen) to Com. of Sup., 1314 (i).
P.E.I. Winter Communication, &c., Memorials, &c., on M. (Mr. Warburton) for Copies, 3193 (ii).
Sydney Free Mail Delivery, Delays, &c. (Ques.) 1014 (i).
—— (M. for cor.*) 1022 (i).
—— Inquiry for Ret., 3137 (ii).

MAGRATH, Mr. C. A., *Medicine Hat.*
Alberta Coal Areas, Estimated Total Tonnage, &c. (Ques.) 1010 (i).
Blackfoot Indian Reserve, Proposed Lease (M. for cor.*) 3170 (ii).
—— Medical Attendant (remarks) in Com of Sup., 7853 (v).
Budget, The, 1920 (i).
Canadian Northern Alberta Ry. Co.'s Subsidy B. 227 (Mr. Graham) in Com. on Res., 8487 (v).
Dom. Lands Act (licenses) Amt. (B. 143) 1° m., 3670 (ii).
Experimental Farm, Lethbridge, Cor., &c., *re* Establishing (M. for copies*) 2150 (ii).
Homestead pre-emptions, Available for Settlers, &c. (Ques.) 6935 (iv).
Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 1°, 2135 (ii); on M. for 2°, 5516 (iii).
Immigrants at Medicine Hat, Facilities for Housing, &c. (Ques.) 2294 (ii).
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., 2908 (ii).
Lethbridge Post Office Accommodation, Representation re (Ques.) 641 (i).
Lethbridge Post Office Buildings (remarks) in Com. of Sup., 582 (i).
—— Cor. Reps, &c., with Depts. (M. for copy*) 1380 (i).
—— Improved Facilities (remarks) on M. for Sup., 7781 (iv).
—— Inquiry for Ret., 3682 (ii).
—— (personal explanation) 8855 (v).
—— (remarks) in Com. of Sup., 941 (i).
—— Total Revenue for ten months, &c. (Ques.) 3933 (ii).
N.T. Ry., prop, Res., *re* Royal Commission (Mr. Lennox) on M. for Sup., 8285 (v).
Naval Defence B. 95 (Sir Wilfrid Laurer) on M. for 2°, 4328 (iii).
Population, Method of estimating (Ques.) 4846 (iii).
St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5443 (iii).
Section 29, Tp. 9, Range 22, Application *re* Right of Way (M for reps.*) 643 (i).
SUPPLY—
Indians—Man. (general expenses) 7853 (v).
Public Works—Buildings—N.B. (Hartland) 582 (i).
Public Works—Buildings—Que. (Rock Island) 947; (St. Roch) 829 (i).
Public Works—Harbours and Rivers—Alberta (Saskatchewan river channel) 4276 (iii).

MAGRATH, Mr. C. A.—*Con.*

SUPPLY—*Con.*

Public Works—Harbours and Rivers—Que. (Ste. Croix) 4245 (iii).

Public Works—Harbours and Rivers—Sask. (Last Mountain lake) 4273 (iii).

Waterways Treaty and Georgian Bay Canal, Privs. of U. S. (Ques.) 3159 (ii).

MAJOR, Mr. C. B., *Labelle.*

Labelle Settlers Grievances (remarks) on M. for Sup., 8778 (v).

Riviere du Lievre Inhabitants, Deputation *re* Claims of McLaren Co. (Ques.) 1777 (i).

MARSHALL, Mr. D., *East Elgin.*

Deptl. Buildings, Sussex St., Canadian Stone used in Construction (Ques.) 5106 (iii).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2913 (ii).

Lake Erie Signals, Pet. *re* Installation (remarks) 1600 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4910 (iii).

Port Bruce Harbour, Total Expenditure from 1904-9 (Ques.) 264 (i).

——— (remarks) in Com. of Sup., 3861 (ii).

Port Stanley Life Saving Station (remarks) in Com. of Sup., 3853 (ii).

Rural Mail Delivery in Elgin, Number of Boxes, &c. (Ques.) 264 (i).

SUPPLY.

Ocean and River Service (ice-breakers) 8518 (iv).

Public Works—Buildings—Que. (Marieville) 695 (i).

Wrecking Plants on Pacific and Atlantic Coasts, Tenders, Subsidies, &c. (Ques.) 444 (i).

MARTIN, Mr. A. M., *North Wellington.*

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3921 (ii).

Union Life Assurance Co.'s B. 36 (Mr. McGiverin) in Com., 2100 (ii).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8008 (v).

MARTIN, Mr. M., *Montreal, St. Mary's.*

Insects, Pests, Diseases Prevention B. 20 Mr. Fisher) in Com., 5661 (iii).

Ry Act (labourer's pay) Amt. (B. 39) 1° m., 586 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5463 (iii).

MARTIN, Mr. W. M., *Regina*

Barthelmes, Alexander Augustus Relief (B 162) 1°*, 5277 (iii).

MARTIN, Mr. W. M.—*Con.*

Brockville, Ottawa and St. Lawrence Ry. Co.'s (B. 160) 1°*, 5277 (iii).

Budget, The, 1662 (i).

Edmonton, Peace River and Eastern Ry. Co.'s incorp. (B. 219) 1°*, 7975 (v).

Forster, James Alexander Hurst Relief (B. 221) 1°*, 8361 (v).

Grenfell Wheat Elevator Accident, Representations *re* (Ques.) 2427 (ii).

L'Institut de Notre Dame des Missions, incorp. (B. 80) 1°*, 1529 (i); in Com., 3139 (ii).

Naval Defence B. 95, Rep. in Toronto 'World' *re* 'Round Robin,' Ques. of Priv., 4305 (iii).

Newspapers in Ont., Advertising in (remarks) in Com of Sup., 6147 (iv).

Race Track Gambling B. 6 (Mr. Miller) on M. for 2°, 885 (i); in Com., 6460 (iv).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8432 (v).

Rules of the House, on prop. Res. (Mr. Lewis) 1543 (i).

Saskatchewan Central Ry. Co.'s incorp. (B. 121) 1°*, 2329 (ii); in Com., 4753 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6386 (iv).

MAYRAND, Mr. H., *Maskinonge.*

Saint Maurice Valley Ry. Co.'s (B.59) 1°*, 1099 (i).

MEIGHEN, Mr. A., *Portage la Prairie*

Becher, Chas. D. T., Issue of Homestead Patent (Ques.) 7290 (iv).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1282 (i).

Franking Privilege and Political Literature, &c. (remarks) 7807 (v).

Homestead Patent for S.W. ¼ 18-19-20, 4th Meridian, Issue of (Ques.) 6936 (iv).

Immigration Official, Dr. Lavoie, Charges against (Ques.) 8109 (v).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8465 (v).

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2049 (ii).

Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1231; on M. to ref. to Special Com., 1266 (i).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Sel. Com., 2908 (ii).

N. T. Ry. Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2548 (ii).

——— Lumsden Charges, on M. to conc. in 4th Rep of Com., 6087 (iv).

MEIGHEN, Mr. A.—*Con.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5087 (iii).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6970 (iv).

Norris, T. C., Payments to for 1908-9 (Ques.) 2718 (ii).

Ottawa and Quebec East, Representation in the House of Commons (amt.) to Com. of Sup., 1305; Negatived (Y. 61; N. 90) 1329 (i).

——— Disposal of Protest, &c. (ques. of priv.) 802 (i).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6552 (iv).

Ry. Act (liability) Amt. (B. 53) 1° m., 782 (i); 2° m., 2156 (ii).

Railway Act Amt. B. 145 (Mr. Graham) in Com., 8410 (v).

Railways, Adjudication of Claims B. 151 (Mr. Graham) in Com., 6600 (iv).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7722 (v).

——— Ques. asked Min. of Public Works, 7695 (v).

Rothwell, Johnson & Co., Cor. *re* Legal Services for N. T. Ry. Commissioners (M. for ret.*) 643 (i).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7153 (iv).

SUPPLY—

Arts, Agriculture, &c. (cold storage) 7369 (iv).

Civil Govt.—Indian Affairs (salaries) 362 (i).

Public Works—Buildings—Ottawa (astronomical observatory) 427, 537 (i).

Public Works—Harbours and Rivers—Man. (St. Andrew's rapids) 6104 (iv).

Public Works—Harbours and Rivers—N. B. (Pink Rock) 3400 (ii).

Tariff Negotiations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 5966 (iv).

Volunteer Bounty Act Amt. B. 163 (Mr Oliver) in Com., 8081 (v.)

Western Grain Trade, Over-classification of Grades, &c. (remarks) on M. for Sup. 8343 (iv).

Winding-Up Act Amt. (B. 65) 1° m., 1193 (i); 2° m., 2039 (ii); 3°*, 8731 (v).

MICHAUD, Mr. P., *Victoria, N.B.*

SUPPLY—

Mail Subsidies and SS. Subventions (Canada and Cuba) 5704 (iii).

Public Works—Harbours and Rivers—Que. (Cabano) 3879 (ii).

MIDDLEBRO, Mr. W. S., *North Grey.*

Apples grown in Prov. of Quebec (remarks) 5852 (iii)

MIDDLEBRO, Mr. W. S.—*Con.*

B. C. Judges, Delay in Apptmts., on M. to adjn., 19 (i).

——— (remarks) on M. for Sup., 535 (i).

Canadian Inland Marine, Number of Vessels, Dry Dock Aid, &c. (Ques.) 7514 (v).

Civil Service, Outside Service, Legislation *re* Reorganization (remarks) 6947 (iv).

Combines Investigation Act Amt. B. 101 (Mr. King) in Com., 7903 (v).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 7001 (iv).

Franking Privilege and Political Literature, &c. (remarks) 7798 (v).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 184; on M. for 2°, 733 (i).

Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5652 (iii).

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1123 (i).

International Waterways Canal Construction Co.'s incorp. B. 119 (Mr. Conmee) on M. for 2°, 2679 (ii).

Labour Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1219 (i).

N. T. Ry. Classification, Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) for Com., 2495 (ii).

——— Lumsden Charges, Change in Report, &c., on M. for Sup., 5593 (iii).

——— on M. to adjn. debate, 5597 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3210 (ii); on M. for 3°, 7545 (v).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5291 (iii).

Owen Sound Public Building, Total Expenditure, &c. (Ques.) 166 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5333 (iii), 6138, 6242, 6351 (iv).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7107 (iv).

SUPPLY—

Public Works—Buildings—N. S. (Halifax) 574 (i).

Public Works—Buildings—Ottawa (astronomical observatory) 543; (deptl. buildings, new) 552; (museum) 567 (i).

Public Works—Harbours and Rivers—Dredging (new plant) 4769 (iii).

Tariff Negotiations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 5954 (iv).

MILLER, Mr. H. H., *South Grey.*

Budget, The, 1507 (i).

Contagious Diseases, Expenditure *re* Prevention, &c. (Ques.) 1378 (i).

Dominion Millers' Association B. 111, (M.) to ref. back to Committee of the Whole, 4025 (iii).

MILLER, Mr. H. H.—*Con.*

Franking Privilege and Political Literature, &c. (remarks) 7805 (v).

Gambling Bill, Pamphlet *re*, Ques. of Priv., 3937 (ii).

See "Race Track."

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5883 (iii).

Insect Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5639 (iii).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8460 (v).

Interest Act Amt. (B. 8) 1° m., 126; 2° m., 499; (M.) to withdraw Bill, 1209 (i).

——— (B. 73) 1° m., 1362 (i); 2° m., 2040; in Com., 2153 (ii).

Manufacturers' Fire Insurance Co.'s (B. 51) in Com., 2279 (ii).

Militia Stores, Fire Insurance *re* (remarks) in Com. of Sup., 975 (i).

Nelson River Ry. Co.'s incorp B. 52 (Mr. Rutan) in Com., 5285 (iii).

Private Bills, Suspension of Rules (M.) 8361 (v).

Race Track Gambling (B. 6) 1° m., 96; 2° m., 856, 914(i); on M. for Com., 6400, 6514, 6572, 7258; 3° m., 7270 (iv).

Race Track—Gambling Bill: Ques. of Priv. *re* Letter of Min. of Justice, 6715 (iv).

Senate, Abolition, on prop. Address (Mr. Lancaster) 1992 (ii).

SUPPLY—

Arts, Agriculture, &c. (live stock industry) 7755 (v).

House of Commons (sessional indemnities) 7779 (v).

Tuberculosis, Prevention of, on prop. Res. (Mr. Perley) 1416 (i).

MOLLOY, Mr. J. P., *Provencher.*

Manitoba Boundaries, Cor. with Dom. Govt. and Man. Govts., &c. (M. for copy*) 4315 (iii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4913 (iii).

St. Peter's Indian Reserve, on Amt. (Mr. Bradbury) to Com. of Sup., 7126 (iv).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8094 (v).

MONK, Mr. F. D., *Jacques Cartier.*

Address, The, (remarks) 47 (i).

All-Red Route, Rep. re Negotiations, Legislation, &c. (Ques.) 269 (i).

Artillery Horses to Petawawa Camp, Amounts paid, &c. (Ques.) 786 (i).

Beauharnois Canal Bridges, Cor. with Celestin Pregent (M. for copy) 2298 (ii).

MONK, Mr. F. D.—*Con.*

Beauharnois Canal Leases, Arrears of Rental, &c. (Ques.) 3732 (ii).

——— Lease to Messrs McIntyre & Robert, Payments, &c. (Ques.) 2141 (ii).

Business of the Hse., Delay, &c. (remarks) 118 (i).

Canadian Navy. Pets. to Govt. and Parliament *re* (Ques.) 5782 (iii).

——— Purchase of Vessels by Govt. (Ques.) 2930 (ii).

Chevalier, Dr. E. N., Resignation of, Pension, &c. (Ques.) 636 (i).

Convicts in Penitentiaries, Segregation of (prop. res.) 142 (i).

Co-Operative Credit Societies Act (B. 26) 1° m., 340 (i); order for 2°, 2156 (ii).

——— Consideration of (remarks) 2710, 3205 (ii).

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 870 (i).

Dom. Lands (licenses) Amt. B. 143 (Mr. Magrath) on M. for 1°, 3671 (ii).

Dredge Construction at Sorel, Estimated Cost, &c.(Ques.) 3159 (ii).

Federal and Provincial Jurisdiction *re* Companies (remarks) 3207 (ii).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 173; on M. for 2°, 757 (i).

French Treaty, Provision *re* Termination, (Ques.) 276 (i).

Gambling Bill, Pamphlet *re*, on Ques. of Priv. (Mr. Miller) 3941 (ii).

Georgian Bay Canal, Construction, &c., on M. (Mr. White) for O.Cs., &c., 3555 (ii).

German Tariff, Agreement *re* Hay, &c. (remarks) 3832 (ii).

Gervais, Alphonse, Emplmt. by Govt. (Ques.) 6178 (iv).

Harland and Wolff Shipbuilders, Rep. *re* Investigation (remarks) 1363 (i).

'Hestia' Str., Wreck, Condition of Proprietor Light Buoy (Ques.) 130 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5505 (iii).

Immigration Agents in France, Total Expenditure, Rep. of Mr. Paul Wiallard (Ques.) 790 (i).

Imperial Defence Conference, Expenditure by Can. Govt., &c. (M. for ret.*) 1022 (i).

——— Statement of Cost, Conversion into Canadian Currency (remarks) 856 (i).

——— Total Expenditure (Ques.) 639, 783 (i).

Insurance Bill, Decision of Judge Leet, Appeal by Govt. (Ques.) 786 (i).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, 506 (i).

MONK, Mr. F. D.—*Con.*

Japan Trade Commission, Cor., Rep., &c., of Mr. W. T. R. Preston (M. for copies) 328 (i).

Judicial Business, Montreal District (M.) for Ret., 1792 (i).

Quebec Bridge, Additions to Board of Engineers, Names, &c. (Ques.) 103 (i).

Quebec Water Lots, Sale to Private Individuals, &c. (Ques.) 430 (i).

LeBel, Wenceslas, Emplymt. by Govt. (Ques.) 640 (i).

L'Institut de Notre Dame des Missions, incorp. B. 80 (Mr. Martin) in Com., 3142 (ii).

Lizotte, Luc, Emplymt. by Govt. (Ques.) 641 (i).

Mails between G.B| and Canada for last two months, Date of Closing, &c. (M. for ret.*) 5501 (iii).

Merchants and General Insurance Co.'s incorp. (B. 82) 1°*, 1587 (i); in Com., 2714 (ii).

Montreal Harbour Berths, Date of Location, &c. (Ques.) 5498 (iii).

Montreal Post Office, and Postal Stations, Reps., &c. (M. for copies) 1581 (i).

Montreal Turnpike Trust, Stmt. of Expenditure, Indebtedness, &c. (M. for ret.) 1580 (i).

National Battlefields Commission, Total Expenditure, &c. (Ques.) 787 (i).

N.T.Ry., Dates of Contract from Winnipeg to Quebec, &c. (Ques.) 165 (i).

—— Date of Contract for Winnipeg and Superior Section, Expenditure, &c. (Ques.) 164 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 1°, 1769 (i); on M. for 2°, 2991, Amt., 3022 (ii); Amt. neg. (Y. 18; N. 175) 5095 (iii).

Naval Defence Programme, List of Experts, Technical Adviser, &c. (M. for ret.*) 1546 (i).

Naval Defence Bill, on Inquiry for, 1100 (i).

Naval Ships, Purchase of by Govt., Details of Construction, &c. (Ques.) 1972 (ii).
See 'Can. Navy.'

North Atlantic Trading Co., Pet. of Right, Cor. &c. (M. for copies) 1547 (i).

Peace River Col. and Land Development Co., Cancellation of Grant, &c. (Ques.) 1376 (i).

—— Disposal of by Govt. (Ques.) 1535 (i).

Proportional Representation in the House of Commons (M. for sel. com.) 136 (i).

Public Accounts Com., on M. to ref. Aud. Gen.'s Rep., 605 (i).

MONK, Mr. F. D.—*Con.*

Public Works in the Prov. of Quebec, Uselessness, &c. (remarks) in Com. of Sup., 3865 (ii).

River des Prairies, Deepening, &c., Pets. Cor., &c. (M. for copy) 114 (i).

Ross Rifles, Marks I and Marks II**, Ques. of Order *re* Answer, 1534 (i).

Rules of the House, on prop. Res. (Mr. Lewis) 1541 (i).

St. Charles River Water Lots, Control by Quebec Harbour Commissioners, &c. (Ques.) 129 (i).

—— Sale of to Private Individuals (Ques.) 625 (i).

St. Genevieve and Isle Bizard Wharfs, Pets. &c., *re* Repairs (M. for copy) 110 (i).

St. Lawrence Channel, Expenditure *re* Dredging at Batiscan, &c. (Ques.) 841 (i).

Seed Grain Advances, Total Sum refunded, &c. (Ques.) 629 (i).

Segregation: *See* 'Convicts.'

Sessional Messengers, Instructions given by Speaker Blanchet (M. for copies*) 2298 (ii).

Superior Court, Additional Judges in Montreal (remarks) 332 (i).

SUPPLY—

Public Works—Buildings—Que. (St. Roch) 832 (i); Harbours and Rivers—Que. (Becancour) 3865, 3875 (ii).

Railways (Quebec bridge) 3085 (ii).

MURPHY, Hon. CHARLES (Secretary of State) *Russell.*

Analytical Index to Hansard, Expenditure *re* (Ans.) 2138 (ii).

Angus, Wm., Apptmt. *re* Naturalization Commissioner (Ans.) 3165 (ii).

Canadian Inland Marine, Number of Vessels, Dry Dock Aid, &c. (Ans.) 7515 (v).

Canada Temperance Act Amt. (B. 209) 1° m., 7181 (iv); in Com., 8381 (v).

Civil Service (census) Amt. B. 205 (Mr. Fisher) in Com., 7302 (iv).

Civil Service Apptmts., Number passing Examinations, &c. (Ans.) 2287 (ii).

Civil Service List (presented) 1730 (i).

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 887, 910 (i).

Dominion Elections, Total Cost for 1908 (Ans.) 2286 (ii).

Escheats to the Crown B. 206 (Mr. Aylesworth) in Com. on Res., 6976 (iv).

Ferguson Balloting Device, Examination *re* (Ans.) 7289 (iv).

Incorporated Companies, Conference *re* Provincial and Federal Jurisdiction (Ans.) 6938 (iv).

International Fisheries Regulations, Rep. *re* (Ans.) 381 (i).

MURPHY, Hon. CHARLES—*Con.*

Metropolitan Racing Association, Grant of Charter by Sec. of State (Ans.) 849 (i).

Penitentiary at New Westminster, Contract *re* Fish Supply (Ans.) 7516 (v).

Printing and Stationery, Deptl. Rep. (presented) 7287 (iv).,

Quebec City Newspapers, Payments to (remarks) 3486 (ii).

Quebec and St. Lawrence River, Protection *re* Invasion, &c. (Ans.) 7514 (v).

Reynolds, Conductor, Tel. from Strathcona *re* Albert Medal Award (read) 4208 (iii).

Sinclair, Mr. John E., Emplymt. by Govt. (Ans.) 6506 (iv).

SUPPLY—

Civil Govt.—External Affairs (salaries) 337; Marine and Fisheries (printing) 252; Sec. of State (salaries) 337 (i).

Treaties with U.S., Number, Dates, Operation, &c. (Ans.) 269 (i).

Voters' Lists, Total Cost of Revision for Thunder Bay, &c. (Ans.) 629 (i).

Winding-up Act, Amt. B. 65 (Mr. Meighen) on M. for 1°, 1193 (i).

NANTEL, Mr. W. B., *Terrebonne.*

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 732 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4535 (iii).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for Copy, 1577 (i).

Quebec Superior Court, Montreal, Number of Cases standing, &c. (Ques.) 1369 (i).

Ste. Therese Post Office Site, Purchase of (Ques.) 787 (i).

SUPPLY—

Public Works—Que. (immigration sheds) 960; (Maisonneuve) 678; (Marieville) 679; (St. Jacques de l'Achigan) 953 (i).

NEELY, Mr. D. B., *Humboldt.*

Manitoba Boundaries Vote, on Ques. of Order (Mr. Geo. Taylor) *re* Vote of Sol. Gen., 8168 (v).

National Park, Sask., Establishment of, Disposition of Buffalo Herd (Ques.) 790 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4931 (iii).

Nelson River Ry. Co.'s incorp B. 52 (Mr. Rutan) in Com., 4821, 5292 (iii).

Prince Albert and Hudson Bay Ry. Co.'s (B. 69) 1°*, 1360 (i); in Com., 4753, 4840 (iii).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8047, 8427, 8588 (v).

St. Lawrence Power B. 115 (Mr. Pardee) in Com., Ques. of Order, 5412 (iii).

Sunday Postal Service at Winnipeg, Closing of P.O. (remarks) 2931 (ii).

NESBITT, Mr. E. W., *North Oxford.*

Budget, The, 2246 (ii).

Canadian Northern Ontario Ry. Co.'s (B. 106) 1°*, 2184 (ii).

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).

Forty-ninth Regiment, Apptmt. of Commanding Officer, &c. (Ques.) 4311 (iii).

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.'

Buffaloes: *See* 'National.'

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).

See Immigration, &c.

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).

See "Wood."

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;

OLIVER, Hon. FRANK—*Con.*

SUPPLY—*Con.*

(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 Customs) *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.*

St. Lawrence Power Transmission Co's. incorp. B. 115 (Mr. Pardee) in Com., 5428 (iii).

SUPPLY.

Yukon Ter. Govt. (admipistrator) 5615 (iii).

PROULX, Mr. E., *Prescott.*

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1285 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 5082 (iii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6532 (iv).

PROWSE, Mr. L. E., *Queens, P.E.I.*

Green, James Albert Relief (B. 153) 1°*, 5103 (iii).

P.E.I. Winter Communication, Memorials, &c., on M. (Mr. Warburton) for Copies, 3195 (ii).

PUGSLEY, Hon. Wm. (Minister of Public Works) St. John City and County, N.B.

Archives, Protection *re* Fire (Ans.) 1019 (i).

Arctic Expedition Tablet, re Authority for placing in H. of C. (Ans.) 1596 (i).

——(corrected answer) 1730 (i).

Armouries in Can., on Inquiry (Mr. Edwards) for Ret., 8742 (v).

Armouries and Drill Halls in Man., Purchase and Locations, &c. (Ans.) 788 (i).

Assiniboine River Improvements (remarks) in Com. of Sup., 4259 (iii).

Baie St. Paul, Title to Lot 73, &c. (Ans.) 1017 (i).

Bathurst Dredging (remarks) in Com. of Sup., 4798 (iii).

See 'Dredging.'

Boat Harbour, Toney River, N.S., Expenditure to Date (Ans.) 1179 (i), 3676 (ii).

Boivin, Elzéar, Payment re Telegraph Construction (Ans.) 7870 (iv).

Brandon Drill Hall, Completion of, &c. (Ans.) 1777 (i).

Budget, The, Ques. of Order re Kensington Wharf, 2109 (ii).

See 'Kensington.'

Buoys on Lake St. John, Annual Payments re (Ans.) 7870 (iv).

Burlington Beach Protection Piers (remarks) in Com. of Sup., 3856 (ii).

Burrard Inlet Tunnel and Bridge Co's. incorp. B. 118 (Mr. Cowan) in Com., 2671 (ii).

Canning Wharf, Total Cost, Apptmt. of Wharfinger (Ans.) 1969 (ii).

Cariboo-Chilcoten Telegraph Construction (remarks) in Com. of Sup., 6158 (iv).

Carman Public Building (remarks) in Com. of Sup., 8182 (v).

PUGSLEY, Hon. WM.—*Con.*

Cartwright, Sir Richard, Terms of Lease *re* Lands and Timber, &c. (Ans.) 2717 (ii).

Cobourg Harbour Improvements, Expenditure *re* (Ans.) 1373 (i).

Columbia River Banks, Repairs, &c. (remarks) in Com. of Sup., 4721 (iii).

Couchiching and Simcoe Lakes, Lowering of Water, &c. (remarks) in Com. of Sup., 3458 (ii).

Dalhousie Port Dredging (remarks) in Com. of Sup., 4790 (iii).

Deschenes Lake Dredging Plant, Purchase of (Ans.) 631 (i).

Digby Dredging (remarks) in Com. of Sup., 4791 (iii).

Dom. Dredging Co., Amounts paid to by Govt. (Ans.) 849 (i).

Dominion Millers' Association B. 111 (Mr Harris) in Com., 3873, 3925 (ii).

Dredging at Bathurst and Campbellton, Contract of A. & R. Loggie (Ans.) 6508 (iv).

See 'Bathurst.'

Dredging Contracts, Fraudulent Charges, &c. (remarks) in Com. of Sup., 1183 (i).

Dredging Inspection on Public Works (remarks) in Com. of Sup., 4253 (iii).

See 'Govt. Dredges.'

Dry Dock at Port Arthur, Application *re* Subsidy (Ans.) 105 (i).

Dry Dock at Sault Ste. Marie, Application *re* Subsidy (Ans.) 106 (i).

Dry Dock Subsidies B. 229 (Mr. Fielding) in Com. on Res., 8695 (iv).

Eastern Dredging Co., Contracts, Payments by P. W. Dept. (Ans.) 2718 (ii).

Engineers, Status in Civil Service, Pensions, &c., on M. (Mr. Warburton) for Papers, 2029 (ii).

Fighting Island Channel Improvement (remarks) in Com. of Sup., 3861 (ii).

Forty-ninth Regiment, Appmt. of Commanding Officer, &c. (Ans.) 4311 (iii).

Fraser River Channel, Depth of Dredging, &c (Ans.) 2187 (ii).

—— Protection *re* Inundations (remarks) in Com. of Sup., 4213 (iii).

Gasperaux River Dredging, Payments to Mar. Dredging Co. (Ans.) 2487 (ii).

—— Demand for Papers read by Minister (remarks) 2490 (ii).

—— (remarks) in Com. of Sup., 3838 (ii).

Georgian Bay Canal Construction, on M. (Mr. White) for O.C.'s, &c., 3569 (ii).

—— Papers laid on Table, 8734 (v).

Govt. Dredges, Purchase of, &c., Reply to Mr. German, 3986 (iii).

PUGSLEY, Hon. WM.—*Con.*

Govt. Steamers, Names, Cost, Date of Construction, &c. (Ans.) 1536 (i).

Govt. Telegraph Lines, Mileage, Cost of struction, Maintenance, &c. (Ans.) 2185 (ii).

Grand Bend Pier (remarks) in Com. of Sup., 3852 (ii).

Great Lakes Dredging Co.'s Contracts *re* Kaministiquia River (Ans.) 3485 (ii).

Grimsby Post Office Accommodation (remarks) in Com. of Sup., 929 (i), 8816 (v).

Halifax Customs House, Repairs, &c. (Ans.) 3672 (ii).

Halifax Post Office, Reconstruction of (Ans.) 3483 (ii).

Hamilton, Waterloo and Guelph Ry. Co.'s B. 79 (Mr. Harris) in Com., 6139 (iv).

Heating and Lighting Contracts *re* Public Buildings (Ans.) 1203 (i).

Hecla Island Wharf (remarks) in Com. of Sup., 4271 (iii).

'Industry' Dredge, Total Cost, Date of Commencement of Work (Ans.) 1967 (ii).

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) in Com., 1132 (i); on M. for 3°, 2210 (ii).

Interest Act Amt. B. 73 (Mr. Miller) on M. for 2°, 2054 (ii).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) on M. for 2°, 2672; in Com., 3151 (ii).

Inverness Harbour Improvements, Expenditures *re* (Ans.) 4514 (iii).

'J. G Witherbee,' Tug, Purchase by Govt. from J. B. Kaine (Ans.) 1975 (ii).

Kensington Wharf, Negotiations *re* Purchase of (Ans.) 1783, 1970 (i).

——— Recommendations re (Ans.) 3469, 3737 (ii).

King, Mr., Astronomer's Residence: *See* 'Supply—Pub. Works—Buildings—Ottawa.'

Labour Dept., Rent of Y.M.C.A. Building (Ans.) 627 (i).
See 'Ottawa.'

Lachute Public Building, Completion of, &c. (Ans.) 3483 (ii).

——— (remarks) 3137 (ii), 5690 (iii).

Lakefield Wharf Extension (remarks) in Com. of Sup., 3463 (ii).

Lake Nipissing flooded Lands, Compensation *re*, Names, &c. (Ans.) 2295 (ii).

Lake Nipissing Roller Dams, Total Cost, Damages, &c. (Ans.) 850 (i).

Lambton Barracks, Appropriations *re* (Ans.) 271 (i).

Latchford Dam, Montreal River, Contract *re* (Ans.) 3165 (ii).

Lemieux, Ed., Payments to for Wood (Ans.) 8838 (v).

PUGSLEY, Hon. WM.—*Con.*

Lethbridge Post Office Accommodation, Pets. *re* (Ans.) 641 (i).

——— (remarks) in Com. of Sup., 583 (i).

L'Institut de Notre Dame des Missions incorp. B. 80 (Mr. Martin) in Com., 3148 (ii).

Loggie, Messrs. A. & R., Total Payments to (Ans.) 2488 (ii), 5622 (iii).
See 'Dredging.'

Long Sault Rapids, Deputation *re* Building of Dams (remarks) 2060 (ii).

McLean, A., Payments for Sale of Wood (Ans.) 8836 (v).

Manitoba Fisheries Investigation, on M. for Sup., 2690 (ii).

Maritime Dredging and Construction Co., Date of Work at Gaspereaux (Ans.) 2929 (ii).

——— Amounts paid to by Govt. (Ans.) 849 (i).
See 'Gaspereaux.'

Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2768 (ii).

Markham Post Office Building Site, Cost of (Ans.) 99 (i).

Mayes Contract, Charges *re* Graft (remarks) in Com. of Sup., 589 (i).

Michipicoten Dock, Preparation of Plans, Estimated Cost, &c. (Ans.) 783 (i).

Militia Ordnance Stores, Damage by Fire, Value, &c. (Ans.) 386 (i).

——— Fire Insurance *re* (remarks) in Com. of Sup., 973 (i).

Montreal River Improvements, Name of Contractor (Ans.) 1014 (i).

Mossy River Dredging (remarks) in Com. of Sup., 4272 (iii).

Mud Lake Surveys, &c. (Ans.) 3294 (ii).

Napanee River Dredging, on M. for Sup., 1156 (i).

Navigable Waters Protection Act Amt. (B. 103) 1° m., 2135 (ii); in Com., 5674 (iii), 6202, 6963 (iv).

Nechaco River, &c., Dredging, &c. (remarks) in Com. of Sup., 4727 (iii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4753, 4820, 5279, 5291 (iii).

Newspapers in Ont., &c., Patronage *re* Advertising (remarks) in Com. of Sup., 6141 (iv).

——— List *re* (read) in Com. of Sup., 8825 (v).

New Westminster Dom. Land, Expiration of Lease, Sale, &c. (Ans.) 789 (i).

Northern Quebec Colonization Ry. Co.'s incorp. B. 152 (Mr. Turcotte) in Com., 5722 (iii).

'Northumberland' Dredge, Absence of Crew *re* Voting (Ans.) 4078 (iii).

PUGSLEY, Hon. WM.—*Con.*

—— Names of Employees, &c., Total Expenses (Ans.) 4079 (iii).

Oakville Harbour Dredging (remarks) in Com. of Sup., 4810 (iii), 6149 (iv).

Okanagan Lake Dredging (remarks) in Com. of Sup., 4725 (iii).

Order, Ques. of, *re* speaking in Committee, 4798 (iii).

Ottawa Buildings, Design Competition (Ans.) 6180 (iv).

—— Canadian Stone *re* Construction (Ans.) 5107 (iii).

—— (Y.M.C.A.) Taxes and Rent, &c. (Ans.) 1010 (i).

See 'Labour,' 'Militia,' 'Rideau Hall.'

Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8614 (iv).

Owen Sound Public Building, Total Expenditure, &c. (Ans.) 166 (i).

Oyamel Co., Payments to *re* Tamarac Wood (Ans.) 7871, 8834 (v).

Paul, Mr. William, Purchase by Govt. of Gasolene Boat (Ans.) 1975 (ii).

Pender Island Canal, Depth, Length, Cost, &c. (Ans.) 2427 (ii).

Pictou Post Office, Copper Roofing, Name of Contractor (Ans.) 3489 (ii).

Pink Rock Wharf (remarks) in Com. of Sup., 588 (i), 3397 (ii), 4734 (iii).

—— on Ques. of Priv. (Mr. Crocket) 3477 (ii).

—— Par. in 'Globe,' Ques. of Priv., 3739 (ii).

—— Ques. of Order, 3743 (ii).

Port Arthur Dredging Inspectors, Number, Salaries, &c. (Ans.) 6507 (iv).

Port Arthur Dry Dock, Subsidy Grant, &c. (remarks) 5003 (iii).

—— on Inquiry for Ret., 3136 (ii).

See 'Dry Docks.'

Port Bruce Harbour, Total Expenditure from 1904-9 (Ans.) 264 (i).

Port Colborne Public Works, Total Expenditure to Date, &c. (Ans.) 1968 (ii).

Port Credit Harbour, Dredging (remarks) in Com. of Sup., 6127 (iv).

Port Dover Wharf, &c. (remarks) in Com. of Sup., 3465 (ii).

Port Dufferin Wharf, N.S., Repairs, &c. (Ans.) 4082 (iii).

Port Hood Harbour Improvements, Expenditure *re* (Ans.) 4513 (iii).

Port Stanley Life Saving Station(remarks) in Com. of Sup., 3853 (ii).

Potvin, P. A., Payments to (Ans.) 8837 (v).

Private Cars, Expenditure *re* Hauling (remarks) in Com. of Sup., 234 (i).

PUGSLEY, Hon. WM.—*Con.*

Public Works Advertising, &c., on Inquiry for Ret., 8118 (v).

See 'Newspapers.'

Public Works, Deptl. Rep (presented) 7 (i).

Public Works Employees, and Election Campaign (remarks) 2489 (ii).

Public Works Engineers, Number of Residents, Salaries, &c. (Ans.) 2293 (ii).

Pulp Co., Payment of Tolls *re* passing through Booms (Ans.) 7871 (v).

See 'Oyamel.'

Railway Commission Building, Heating Expenditure (Ans.) 4309, 4846 (iii).

Red River Dredging, Quantity, Cost, &c. (Ans.) 7872, 8238 (v).

Residents in H. of C and Senate., on Inquiry for Ret., 3296 (ii).

Restaurant, House of Commons, Apptmt. of Committee (M.) 376 (i).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Reid) in Com., 6139, 6169 (iv).

Retail Merchants' Association B. 210 (Mr. Gervais) in Com., 8428, 8588 (v).

Return, on Inquiry for (Mr. G. V. White) 8585 (iv).

Richibucto Wharf Purchase (remarks) in Com. of Sup., 3838 (ii).

—— on Amt. (Mr. Crocket) to Com. of Sup., 7692 (v).

See 'Pink Rock,' &c.

Rideau Hall Furniture, on Inquiry for Ret., 8742 (v).

Riviere du Lievre Inhabitants, Deputations *re* Claims of McLaren Co. (Ans.) 1777 (i).

River des Prairies, Deepening, &c., Pets., Cors., &c., on M. (Mr. Monk) for copy, 117 (i).

Rondeau Harbour, Removal of Forest by Provl. Govt. (remarks) 6945 (iv).

Ross Rifles Mark II**, Contract *re* (Ans.) 4311 (iii).

R.M.C. Riding Establishments, Dimensions, Cost, &c. (Ans.) 381 (i).

—— Servants' Quarters, Completion, Total Cost, &c. (Ans.) 263 (i).

Royal Mint, Total Cost, Estimated Cost, &c. (Ans.) 103 (i).

Rural Free Mail Delivery Boxes, Changes in Design (Ans.) 1783 (i).

St. Andrew's Dam, Bridge and Approaches (remarks) in Com. of Sup., 4263 (iii).

St. Andrews Rapids Construction, Division of Cost, &c. (Ans.) 8239 (v).

St. Clair River Sand, Lease to Detroit Co. by Ont. Govt. (remarks) 5821 (iii).

Ste. Genevieve and Isle Bizard Wharfs, Pets., &c., on M. (Mr. Monk) for Copy, 112 (i).

PUGSLEY, Hon. WM.—*Con.*

St. John Harbour, N.B., Wharfs and Buildings (B. 204) 1° m., 6934 (iv); in Com., 8120 (v).

——— Courtenay Bay and G. T. P. Terminals, Contract, &c. *re* Dredging (Ans.) 3156 (ii).

St. John River Channel Survey, on Inquiry for Ret., 6394 (iv); 8118, 8580, 8737 (v).

St. John Valley Ry., Construction by Govt. (remarks) 123 (i).

St. Johns, Que. Govt. Land occupied by Militia (Ans.) 3494 (ii).

St. Lawrence Channel, Expenditure *re* Dredging at Batiscan (Ans.) 841 (i).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5377 (iii); 6231, 6342, 6665; on M. for 3°, 7252 (iv).

——— Compliance with Act of Incorporation (Ans.) 7869, 8108, 8659 (v).

——— Rep. of Engineers laid on Table, 5557, 5617 (iii).

St. Maurice Dredging, Grand Piles Chute, &c. (Ans.) 5931 (iv).

Ste Therese Post Office Site, Purchase of Property, &c. (Ans.) 787 (i).

Sailing Directions to Captains of Steamers (remarks) in Com. of Sup., 8534 (v).

Sault Ste. Marie Dry Dock, Decision *re* Subsidy (remarks) 3833 (ii), 5278 (iii). *See* " Dry Docks."

Sawdust Wharf: *See* ' Richibucto.'

Sea Gull Dock, Name of Supt., &c. (Ans.) 106 (i).

Selkirk Wharf, Expenditure, &c. (remarks) in Com. of Sup., 3884 (ii).

SUPPLY—

Civil Govt. Public Works (salaries) 333; Railways and Canals (contingencies) 248 (i).

Mail Subsidies and SS. Subventions (Canada and Cuba) 5698 (iii).

Public Works — Buildings — Alta. (Lethbridge) 8188; (Macleod) 8189; (Strathcona) 8189 (v).

Public Works—Buildings—B. C. (Fernie) 8190; (Chilliwack) 8190; (Greenwood); 8191; (Vancouver) 8191; (Williamshead) 8191 (v).

Public Works—Buildings—Dom. (cattle quarantine stations) 8193; (tobacco stations) 8191 (v).

Public Works—Buildings—Man. (Portage la Prairie) 8182; (Winnipeg) 8184 (v).

Public Works—Buildings Mar. Provs. (renewals) 596 (i).

Public Works — Buildings — N.B. (Bathurst) 580; (Fairville) 580; (Fredericton) 581; (Grand Falls) 582; (Hartland) 583; (Hillsborough) 587; (Moncton) 591; (Partridge Island) 595; (Tracadie) 596 (i).

Public Works—Buildings—N. S. (Digby) 574; (Halifax) 574; (Lawlor's Island) 576; (Lunenburg) 576; (North Sydney) 577; (Parrsboro) 577; (Wolfville) 579 (i);

PUGSLEY, Hon. WM.—*Con.*

SUPPLY—*Con.*

Public Works—Buildings — Ont. (Chesley) 7173; (Dresden) 7174; (Dundas) 7174; (Elora) 7174; (Fergus) 7178 (iv); (Gananoque) 7495; (Goderich) 7496; (Guelph) 7496; (Guelph armouries) 8169; (Harriston) 7500; (Kincardine) 7504; (Kingston) 7505; (Leamington) 7506; (Listowel) 7506; (Mitchell) 7507; (Mount Forest) 7510; (Niagara Falls) 7511, 8169; (Parkhill) 8177; (Port Arthur) 8177; (Sarnia) 8177; (Toronto) 8178; (Uxbridge) 8178, 8185 (Wallaceburg) 8178; (Waterloo) 8178; (Whitby) 8179 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 416, 536 (i): (deptl. buildings, new) 548 (i), 7166 (iv); (Eastern Block) 571 (i); (grounds) 8191; (Langevin Block) 8176 (v); (military stores) 597; (museum) 566 (i); (National Art Gallery) 6158 (iv); (Parliament Driveway) 8173; (peat testing) 8177; (Printing Bureau) 8170; (Rideau Hall grounds) 8193 (v); (Royal Mint) 557 (i); (Senate re-decorating) 8176 (v); (standardizing room) 572 (i); (ventilation) 8170 (v).

Public Works—Buildings—P.E.I. (Charlottetown) 580 (Summerside) 580 (i).

Public Works—Quebec— (Arthabaska) 661; (Aylmer) 661; (Chicoutimi) 662; (Fraserville) 662; (generally, repairs) 662; (Grosse Isle) 662, 665; (Joliette) 662; (Lachine, clock) 667; (Lachine, heating) 667; (Lévis) 668; (Maisonneuve) 670; (Marieville) 679; (Mégantic) 700; (Montreal P.O.) 700; (Montreal, postal station) 704; (Plessisville) 704; (Quebec customs) 824; (Quebec hospital) 823; (Quebec immigration sheds) 823, 926, 959; (Quebec observatory) 823; (Quebec, ordnance stores) 967; (Quebec P. O.) 823 (i); (Rigaud) 8814 (v); (Roberval) 927; (Rock Island) 946; (St. Henri) 952; (St. Jacques de l'Achigan) 952; (St. Lambert) 955; (St. Roch) 828; (Shawenegan Falls) 948; (Three Rivers) 959; (Westmount) 963 (i).

Public Works—Buildings—Sask. (Estevan) 8185 (v).

Public Works—Buildings—Yukon (rents, &c.) 8193 (v).

Public Works—Dredging—B.C. (generally) 6138 (iv); (new plant) 4771 (iii).

Public Works—Dredging—Generally (plant) 4777; (new plant) 4738, 4755; (vessel repairs) 4731 (iii).

Public Works—Dredging—Man. (generally) 6137 (iv); (new plant) 4771 (iii).

Public Works—Dredging—Mar. Provs. (generally) 4780, 5608, 5716 (iii).

Public Works—Dredging—Ont. (generally) 4809 (iii).

Public Works—Dredging—Que. and Ont. (generally) 6124 (iv).

Public Works—Dredging—Sask. (new plant) 4771 (iii).

Public Works—Harbours and Rivers—Alberta — (Athabaska channel) 4272; (North Saskatchewan River channel) 4273 (iii).

Public Works—Harbours and Rivers—B.C. (Athalmer) 4276; (Bamfield) 4276; (Campbell) 4276; (Chilliwack) 4299; (Columbia river) 4277; (Coquitlam)

PUGSLEY, Hon. WM.—*Con.*

SUPPLY—*Con.*

4291; (Fort George Canyon) 4727; (Fraser river) 4295; (Lillooet river) 4298; (Lockport) 4715; (Masset) 4715; (Nitinat lake) 4715; (Nootka) 4716; (Porcher island) 4716; (Port Moody) 4728; (Queen Charlotte) 4716; (Serpentine river) 4305; (Skeena river) 5608; (Spallumcheen river) 4718; (Stewart wharf) 4726 (iii); (Vancouver) 6122; (Victoria) 6123 (iv); (Yakoun river) 4728 (iii).

Public Works—Harbours and Rivers—Generally (bridge work) 4731; (surveys) 5719 (iii).

Public Works—Harbours and Rivers—Man. (generally) 4254; (Gimli) 4263; (Lake Winnipeg wharfs) 4262; (Red River) 4266 (iii); (St. Andrew's rapids) 6103 (iv); (St. Andrew's Rapid Lock) 8819 (v); (St. Laurent) 5255; (Winnipeg beach) 4267 (iii).

Public Works—Harbours and Rivers—Mar. Provs. (dredging) 5608 (iii).

Public Works—Harbours and Rivers—N.B. (Bathurst) 8817 (v); (Bayside) 2697; (Buctouche) 2697; (Campbellton) 2703; (Cape Bald) 2704; (Cape Tormentine) 2703; (Chance Harbour) 2706; (creosoted timber) 3452; (Cummings Cove) 2706; (Dalhousie) 2707; (Dipper harbour) 3391; (Dorchester) 3391; (generally) 3392; (Kouchibouguac) 3392; (Lameque) 3393; (Leonardville) 3393; (Lorneville) 3393; (Mace's bay) 3394; (Moncton) 3394; (Neguac) 3395; (New Mills) 3395; (Partridge Island) 3450; (Petit Rocher) 3396; (Pink Rock) 3397; (Pointe du Chene) 3427; (Quaco) 3427; (Richibucto) 3428, 3438; (St. Andrews) 3450 (ii); (St. John) 6106 (iv); (St. John harbour) 3450; (St. John tributaries) 3446; (St. John wharf property) 3451; (Sackville) 3448; (Seal Cove) 3449; (Shediac) 3449; (Shippigan) 3450; (Sibley) 3475; (Tracadie) 3452; (Traynor's Cove) 3452 (ii).

Public Works—Harbours and Rivers—N.W. Ters. (generally) 4276 (iii).

Public Works—Harbours and Rivers—N.S. (Annapolis) 976; (Arichat) 977; (Black Point) 977; (Blue Rocks Island) 977; (Bluff Head) 977; (Breen's Pond) 977; (Broad Cove) 995; (Brooklyn) 978; (Brule) 979; (Burk's Head) 979 (i); (Centreville) 8817 (v); (Chapel Cove) 985; (David's Cove) 985; (Deep Brook) 986; (Delap's Cove) 986; (Delorey's Beach) 986; (Devil's Island) 986; (Digby) 986; (Diligent) 986; (Dover) 989; (Dublin) 990; (Duncan Cove) 990; (Eastern passage) 990; (Economy) 985; (Fox Island) 990; (generally, repairs, &c.) 992; (Gulf shore) 991; (Habitant River) 992; (Hampton) 992; (Joggin's Mines) 995; (Judique) 995; (Kingsport) 995; (LaHave) 995; (Lake Ainslie) 995; (Leitche's Creek) 995; (Liscombe) 995; (Litchfield) 995; (Little Anse) 995; (Little River) 996; (Little Tancook) 996; (Lower Argyle) 996; (McNair's Cove) 996; (Meteghan) 996; (Middle Island) 999; (Mira River) 999; (New Harbour) 999; (Northport) 999; (Nyanza) 999; (Owl's Head) 1000; (Parker's Cove) 1000; (Pictou Island) 1000; (Pinckney) 1158 (i); (Pine Brook) 8816 (v); (Piper's Cove) 1158; (Port Dufferin) 1161; (Porter's Lake) 1161; (Port Hood) 1161; (Port Joli) 1164; (Port Maitland) 1166; (Port Malcolm) 1164; (Saw Pit) 1176; (Shelburne) 1176; (South Cove) 1177; (South Ingonish) 1177; (Spanish Bay) 1177; (Swim's Point) 1178; (Sydney Mines) 1178; (Tenecape) 1178; (The Wharfs) 1179; (Three-Fathom) 1179; (Toney River) 1179; (Tusket Wedge) 1179; (Upper Prospect) 1179; (Upper Washabuck) 1179; (West Advocate) 1179; (West Baccaro) 1180; (West Dublin) 1180; (Yarmouth) 1191 (i).

Public Works—Harbours and Rivers—Ont.—(Blanche river) 3458; (Brockville) 3455; (Burlington) 3456; (Byng inlet) 3459; (Christian island) 3467; (Collingwood) 3467; (Fiddler's Elbow) 3835; (Goderich) 3468; (Grand Bend) 3468; Gravenhurst) 3468; (Haileybury) 3468; (Juniper island) 3469; (Kensington wharf) 3469; (Latchford) 3471; (Lion's Head) 3470; (McGregor's creek) 3470; (Martin island) 3474; (Michipicoten) 3471; (Picnic islands) 3457 (ii); (Port Arthur and Fort William) 5729 (iii); (Port Arthur, &c.) 6101 (iv); (Port Burwel) 3471; (Port Hope) 3472; (Port Stanley) 3472; (Providence bay) 3457; (Rainy river dam) 3472; (Rondeau harbour 3474; (St. Lawrence river channel) 3833; (Sault Ste. Marie) 3474 (ii), 5608 (iii); (Thornbury) 3475 (ii); (Tiffin) 5746 (iii), 6121 (iv); (Toronto improvements) 3852 (ii); (Victoria) 5747 (iii); (Victoria) 6123 (iv); (Whitby) 8818 (v); (Wiarton) 3475 (ii).

Public Works—Harbours and Rivers—P.E.I. (Belfast pier) 2693; (Belle river) 2693; (Brudenell) 2693; (China Point) 2694; (Cove Head) 2694; (generally) 2694; (Haggerty's) 2694; (Lennox Island) 2694; (Miminegash) 2695; (Naufrage) 2695; (New London) 2695; (Port Selkirk) 2695; (Red Point) 2696; (Rustico) 2696; (Souris) 2696; (Summerside) 2697; (Tignish) 2697 (ii).

Public Works—Harbours and Rivers—Que. (Aylmer) 3862; (Becancour) 3865, 3875; (Bic) 3871; (Cabano) 3879; (Cap a l'Aigle) 3881; (Cap de Chatte) 3889; (Carleton) 3885; (Chateauguay) 3886; (Chicoutimi) 3886; (Contrecoeur) 3889; (Doucet's Landing) 3890; (Father Point) 3891; (Fort William) 3891; (Gaspé) 3892; (Godfroy) 3898; (Grand Mechin) 3900; (Grand Riviere) 3903; (Grand Vallee) 3904; Grosse Isle) 3905; (Harrington wharf) 3906; (Isle Verte) 3906; (Kamouraska) 3907; (Lake Aylmer) 3907; (L'Ange Gardien) 3862 (ii); (Laprairie) 4221 (iii); (Le Petit Debarquement) 3907; (Les Eboulements) 3907 (ii); (Lévis) 6102 (iv); (Malbaie) 3907; (Matane) 3907; (Montebello) 3908; (Murray Bay) 3908; (Natashquan) 3909; (New Carlisle) 3912; (Norway Bay) 3912; (Paspebiac) 3912; (Petit Saguenay) 3913; (Piche Point) 3913 (ii); (Pointe aux Trembles) 4210; (Richelieu river) 4212; (Rimouski) 4210; (Rivière du

PUGSLEY, Hon. WM.—*Con.*

SUPPLY—*Con.*

Loup) 4227; (Riviére Ouelle) 4211; (Rivière aux Vases) 4210; (St. Alphonse de Bagotville) 4227; (St. André de Kamouraska) 4228; (Ste. Anne des Monts) 4232 (iii); (St. Charles) 6102 (iv); (St. Charles de Caplan) 4234; (Ste. Croix) 4235; (St. Denis) 4235; (St. Joseph de Sorel) 4246; (Saguenay) 4221; (Shigawake) 4227; (Sorel wharf) 4246; (Tadousac) 4246; (Three Rivers) 4247; (Vaudreuil Cove) 4211; (Yamaska and Richelieu) 5720, 5724 (iii).

Public Works—Harbours and Rivers—Sask. (Last Mountain lake) 4272 (iii).

Public Works—Harbours and Rivers—Yukon (Lewes and Yukon rivers) 4730 (iii).

Public Works—Miscellaneous (Brown, Hon. Geo., monument) 6158; (Dale, Sydney J.) 6167; (Deep Waterways Commission) 6163; (engineering branch) 6163 (iv); (engineering branch, salaries) 5720 (iii); (International Commission, N.B.) 6163; (Lake Nipissing floods) 6164; (McGee, Hon. D'Arcy, monument) 6159; (Ottawa, water-storage dams) 6162; (telephone memorial) 6161; (Tilley, Sir Leonard, memorial) 6161 (iv).

Public Works—Roads and Bridges—(Dom., generally) 6152 (iv).

Public Works—Roads and Bridges—N. B. (Courtenay Bay Marsh road) 6151; (St. John-St. Leonard) 6151 (iv).

Public Works—Roads and Bridges—Ont. (Chapeau) 6150 (iv).

Public Works—Roads and Bridges—Ont. and Que. (Hawkesbury) 6151 (iv).

Public Works—Roads and Bridges—Ottawa (city bridges) 6152 (iv).

Public Works—Roads and Bridges—Que. (Restigouche) 6152 (iv).

Public Works—Slides and Booms (St. Maurice) 6149; (Saguenay) 6149 (iv).

Public Works—Telegraph Lines—Alberta (Edmonton-Athabaska) 6154; (Limerick Gravelburg) 6154 (iv).

Public Works—Telegraphs—B. C. (Arrow Lakes) 5614 (iii); (Kamloops-Okanagan) 6156 (iv).

Public Works—Telegraph Lines—Que. (St. Lawrence shore) 6153 (iv).

Public Works—Telegraph Lines—Sask. and Alberta (generally) 5614 (iii).

Railways—I. C. R. (Chatham diversion) 2881 (ii).

Telegraph Lines between L'Anse St. Jean and St. Alexis, Repairs, &c. (Ans.) 8836 (iv).

Toney River: *See* 'Boat,' &c.

Toronto Barracks, Site on Humber River, Disposal of (Ans.) 3167 (ii).

Toronto Harbour Dredging, Payments to John E. Russell (Ans.) 3735 (ii).

Toronto Harbour Expenditure (remarks) in Com. of Sup., 4251 (iii).

Toronto Harbour Extension, Name of Contractor, &c. (Ans.) 2929 (ii).

Tremblay, Payments *re* Purchase of Wood (Ans.) 8836 (v).

PUGSLEY, Hon. WM.—*Con.*

Trent Canal: *See* 'Couchiching.' 'Lakefield.'

Veilleue, Charles, Payments to (Ans.) 8837 (v).

Victoria Immigration Building, Total Cost of Construction, Maintenance, &c. (Ans.) 1369 (i).

Walkerville Post Office, Appropriation for (Ans.) 1373 (i).

Water Power in Ry. Belt, B. C., B. 187 (Mr. Oliver) in Com., 8446 (v).

Water Supply for Dom. Buildings, Experiment *re* Purifying (Ans.) 131 (i).

Weymouth Harbour Dredging (remarks) in Com. of Sup., 4789, 5718 (iii), 6131 (iv).

Wharfs transferred to P. W. Dept., Revenue, &c. (remarks) in Com. of Sup., 4228 (iii).

Wharfs transferred from P. W. Dept. to Marine Dept. (remarks) in Com. of Sup., 3882 (ii).

Wharfs, Policy of Building, &c. by Govt. (remarks) in Com. of Sup., 4239 (iii).

Whitby Post Office, Total Cost, Original Estimate, &c. (Ans.) 3486 (ii).

Winnipeg Beach Pier, Contract *re* (Ans.) 7239 (iv).

——— (remarks) in Com. of Sup., 7495 (v).

Winnipeg Wharfs (remarks) in Com. of Sup., 3865 (ii).

Wolfe Island Wharf, Dredging, &c. (remarks) in Com. of Sup., 1162 (i), 3462 (ii), 6164 (iv).

RANKIN, Mr. J. P., *North Perth.*

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5428 (iii).

REID, Mr. J. D., *Grenville.*

Criminal Code (race track) Amt. B. 6 (Mr. Miller) on M. for 2°, 887 (i).

Georgian Bay Canal, Construction, &c., on M. (Mr. White) for O.C.'s, &c., 3542 (ii).

Grain Exports from Montreal, for ten years, &c. (Ques.) 782 (i).

Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) in Com., 8641 (v).

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1257 (i).
See 'Labour.'

Immigration Act Amt. B 102 (Mr. Oliver) in Com., 5537, 5826 (iii).

——— on Ques. of Order, 5541 (iii).

Imperial Defence Conference, New Zealand and Australia Papers (remarks) 209 (i).

Inspection and Sales Act (bread) Amt. Bill, on M. (Mr. Currie) to introduce, 519 (i).

——— (potatoes) Amt. B. 54 (Mr. Fisher) in Com. on Res., 807 (i).

REID, Mr. J. D.—*Con.*

I. C. R., on Annual Stmnt., 2814 (ii).

——— Branch Lines Lease B. 17 (Mr. Graham) on M. for 1°, 205 (i).

Iron and Steel Bounties B, 231 (Mr. Fielding) in Com., 8765 (v).

James Bay and Eastern Ry. Co.'s incorp. B. 128 (Mr. Girard) in Com., 5764 (iii).

Kemptville Public Building (remarks) in Com. of Sup., 7495 (v).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2897 (ii).

See 'Hours.'

Lake St. Peter Works, Foreman, Charges against, &c. (Ques.) 4517 (iii).

Long Sault Rapids Dam, Application *re* (Ques.) 1194 (i).

——— Deputation *re* Building a Dam (remarks) 2060 (ii).

——— Par. in Toronto 'Globe,' Ques. of Priv., 5933 (iv).

See 'St. Lawrence B. 115.'

Lumsden Charges, Change in Report, &c., on M. for Sup., 5589 (iii).

Meat and Canned Foods Act Amt B. 193 (Mr. Fisher) in Com., 6281 (iv).

N. T. Ry., Resignation of Mr. Lumsden, on M. (Sir Wilfrid Laurier) to appoint Com., 2950 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4947 (iii); in Com., 7442 (v).

Naval Defence Bill (remarks) 855 (i).

North Atlantic Trading Co., Pet. of Right, &c., on M. (Mr. Monk) for copy, 1577 (i).

Richibucto Wharf, on Amt. (Mr. Crocket) to Com. of Sup., 7675 (iv).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5329 (iii); 6230, 6354 (iv); on Senate Amts., 8654 (v).

——— Incorporation, Rep. *re* Application (remarks) 1529, (i).

SUPPLY—

Arts, Agriculture, &c. (census) 7373; (farm bulletins) 7377 (iv).

Customs—Outside Ports (Contingencies) 8804 (v).

Justice—Administration of (N.W. stipendiary magistrate) 8799 (v).

Labour (Industrial Disputes Act) 8799; (technical education) 8800 (v).

Public Works—Buildings—Ont. (Guelph) 7496 (v); Ottawa (astronomical observatory) 428; Que. (Grosse Isle) 666; (Maisonneuve) 674 (i).

Public Works—Harbours and Rivers—Mar. Provinces (dredging) 5608 (iii).

Public Works—Telegraph Lines—Sask. and Alta. (generally) 5614 (iii).

Railways—I.C.R. (Moncton shops) 2938 (ii).

R.N.W.M. Police (rifle ranges) 8802 (v).

REID, Mr. J. D.—*Con*

SUPPLY—*Con.*

Yukon Ter. Govt. (administrator) 5615 (iii).

Tariff Negotiations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 5956, 6000 (iv).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1079 (i).

Toronto Harbour Dredging, Payments to John E. Russell (Ques.) 3735 (ii).

——— Name of Contractor, &c. (Ques.) 2929 (ii).

REID, Mr. J., *Restigouche.*

Restigouche Boom Co. (B. 150) 1°*, 4402 (iii); in Com., 6139, 6169 (iv).

RHODES, Mr. E. N., *Cumberland.*

Bait Freezers at Inverness, Total Cost, &c. (Ques.) 4310 (iii).

Combines Investigation Act Amt. B. 101 (Mr. King) in Com., 6929 (iv).

Criminal Code Amt (motors) Amt. B. 75 (Mr. Harris) in Com., 8732 (v).

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6627 (iv).

Dom. Coal Co. and Cumberland Coal Co.'s Strike, &c. (M. for cor.*) 5501 (iii).

Fisheries Regulations, Violation of, Names of Persons, &c. (M. for ret.*) 5501 (iii).

Govt. Railways Act Amt. B. 232 (Mr. Graham) in Com., 8774 (v).

I.C.R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1125; in Com. (amt.) 1130 (i).

I.C. Ry., Dismissals by Board of Management, &c. (M. for ret.*) 5501 (iii).

——— Passes alleged to be Stolen, Prevention *re* (Ques.) 3292 (ii).

——— Train Service between Pictou and Oxford Junction, Date of leaving and arrival (M. for ret.*) 3171 (ii).

Labour, Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2907 (ii).

Labour, Hours on Public Works B. 21 (Mr. Verville) on M. for 2°, 1223 (i).

Machinery Steel, Quantity imported for 1907-8 (Ques.) 1015 (i).

N. T. Ry., Counsel before Public Accounts Com., Names and Payments, &c. (Ques.) 4516 (iii).

'Northumberland' Dredge, Names of Employees, Total Expenses in operating, &c. (Ques.) 4078 (iii).

Port Hood Harbour Improvements, Expenditure *re* (Ques.) 4513 (iii).

Public Accounts Com. and N.T. Ry. Commission, Payments to Counsel by Govt. (M. for ret.*) 5502 (iii).

RHODES, Mr. E. N.—*Con.*

Railway Subsidies B. 226 (Mr. Graham) in Com. on Res., 8478 (v).

River Herbert and Minudie, N.S., Mail Contract, Name of Contractor, &c. (Ques.) 1380 (i).

Scotsburn-Loganville Mail Contract, Apptmt. of Postmaster, &c. (Ques.) 2290 (ii).

Spencer's Island Lighthouse, Total Cost, Contract, &c. (Ques.) 3292 (ii).

SUPPLY—

Naval Service (maintenance) 8503 (v).

Public Works—Harbours and Rivers—N.B. (Pink Rock) 3397 (ii).

Public Works—Harbours and Rivers—N. S. (Broad Cove) 995; (Breen's Pond) 977; (Burk's Head) 983; (Diligent) 986; (generally, repairs, &c.) 993; (Gulf shore) 991; (Northport) 999; (Nyanza) 1000 (i).

Railways—I.C.R. (Chatham diversion) 2877; (highways) 2882; (Moncton shops) 2936; (new machinery) 2942; (Pintsch gas) 2944; (Robinson's crossing) 2945 (ii).

Toney River Boat Harbour, Expenditure *re* (M. for papers*) 3495 (ii).

Windsor Branch Ry., Termination of Lease, &c. (Ques.) 1370 (i).

RICHARDS, Mr. J. W., *Prince, P.E.I.*

Mar. Provs., Representation in H. of C., on prop. Res. (Mr. Kyte) 2767 (ii).

P. E. I. Ry., West Shore, Memorials, &c., *re* Surveys (M. for copies*) 5501 (iii).

P.E.I. Tunnel Surveys, &c., on M. (Mr. Warburton) for Reps., 285 (i).

——— Winter Communication, Memorials, &c., on M. (Mr. Warburton) for Copies, 3199 (ii).

RIVET, Mr. L. A. A., *Hochelaga.*

Budget, The, 1842 (i).

Civil Servants in Outside Service, Increase of Salaries (Ques.) 845 (i).

Georgian Bay Canal Construction, &c., on M. (Mr. White) for O.Cs., 3563 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4036 (iii).

Ottawa, Rideau Valley and Brockville Ry. Co.'s incorp. (B. 183) 1°*, 5886 (iii).

Royal Guardians Co.'s (B. 120) 1°*, 2329 (ii); in Com., 7256 (iv).

ROBB, Mr. J. A., *Huntingdon.*

Explosives on Construction Works, Number of Accidents, Investigations, &c. (M. for ret.*) 172 (i).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 8465 (v).

N. T. Ry., Accidents *re* Explosives, Circular *re* Caution, &c. (Ques.) 4512 (iii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5362 (iii).

ROCHE, Mr. W. J., *Marquette.*

Angus, Wm., Apptmt. as Naturalization Commissioner (Ques.) 3165 (ii).

Armouries and Drill Halls, Man., Location, Prices paid for Sites, &c. (Ques.) 788 (i).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7297; 7308 (iv).

Clear Lake, Application to raise the Water Level (M. for cor.*) 3495 (ii).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3874 (ii).

Dunn, John A., Application for N. W. Lands (M. for cor.*) 3170 (ii).

Gardiner, Wm. Reid, Cancellation of Entry, &c. (M. for cor.) 5502 (iii).

G. T. P. Entrance into Brandon, Res. *re* (Ques.) 3159 (ii).

Homesteads for Women, &c. (remarks) in Com. of Sup., 8488 (v).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5548 (iii).

Manitoba Boundaries, Cor. with Man. Govt. (M. for copies) 644 (i).

——— Legislation *re* (Ques.) 131 (i).

Minnedosa Drill Hall (remarks) in Com. of Sup., 8571 (v).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3619 (ii).

Railway Commission Board, Vacancy *re* Mr. Greenway's Death, Filling of (Ques.) 131 (i).

Railway Subsidies B. 226 (Mr. Graham) in Com. on Res., 8478 (v).

Retail Merchants' Association B. 216 (Mr. Gervais) in Com., 8043; in Com., 8424 (v).

Riding Mountain Reserve, Settlement of (remarks) in Com. of Sup., 8491 (v).

——— Reserve, Removal of Squatters (Ques.) 1368 (i).

Rocky Mountains Park Regulations (Mr. Oliver) in Com. on Res., 6198 (iv).

Souris Post Office (remarks) in Com. of Sup., 940 (i).

S. A. Veterans, Number of Warrants issued, &c. (Ques.) 107 (i).

SUPPLY—

Civil Govt—Interior (salaries) 7767 (v).

Dom. Lands (salaries) 8488; (timber protection) 8491 (v).

Indians, Man., (annuities, &c.) 7848; (hospitals) 7850; (live stock) 7848; (supplies, &c.) 7849 (v).

Militia (arms, &c.) 8558; (properties) 8571 (v).

Railways—Hudson Bay (surveys, &c.) 3069 (ii).

Railways—Miscellaneous (ry commission) 3128 (ii).

Tuberculosis, Prevention of, on prop. Res (Mr. Perley) 1400 (i).

ROCHE, Mr. W. J.—*Con.*

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6382 (iv); in Com., 8073 (v).

Wakefield, W. A., Emplymt. by Immigration Dept. (Ques.) 5890 (iii).

Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3437 (ii).

ROY, Mr. C., *Montmagny*

Montmagny Mutual Fire Insurance Co.'s Change of Name (B. 51) 1°*, 782 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4570 (iii).

Race Track Gambling B. 6 (Mr. Miller) in Com., 6580 (iv).

ROY. Mr. E., *Dorchester.*

Budget, The, 1678 (i).

Great Northwestern Tel. Co., Night Letter Rates, and French Language (remarks) 8240 (v).

Hours of Labour on Public Works B. 21 (Mr. Verville) on M. for 2°, 1260 (i).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, 507 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4667 (iii).

SUPPLY.

Public Works—Harbours and Rivers—Que. (Ste. Croix) 4237 (iii) .

RUSSELL, Mr. J., *East Toronto.*

Railway Act Amt. B. 145 (Mr. Graham) in Com., 8419 (v).

Railway Mail Clerks, Increase of Salary (remarks) in Com. of Sup., 6678 (iv).

—— (remarks) in Com. on Civil Service Bill, 6958 (iv).

SUPPLY.

Arts, Agriculture, &c. (animals' health) 7755 (v); (experimental farms) 7350 (iv).

Civil Govt.—Post Office (salaries) 6678 (iv).

Immigration (contingent expenses) 8207 (v).

Public Works—Buildings—Ont. (Elora) 7177 (iv); (Guelph) 7500; (Mitchell) 7507 (iv).

Public Works—Buildings—Ottawa (Parliament driveway) 8174 (v).

RUTAN, Mr. W. W., *Prince Albert*

Naval Defence B., Ques. of Priv., 5502 (iii).

Nelson River Ry. Co.'s incorp. (B. 52) 1°*, 782 (i); in Com., 4752, 4814, 4818, 4834, 5235, 5279 (iii).

Prince Albert and Hudson Bay Ry. Co.'s B. 69 (Mr. Neely) in Com., 4753 (iii).

SCHAFFNER, Mr. F. L., *Souris.*

Alien Labourers on Rys. (remarks) 8577 (v).

Baby Farm Sale B. 181 (Sir Frederick Borden) in Com., 6004 (iv).

SCHAFFNER, Mr. F. L.—*Con.*

Canadians entering U.S., Action of U.S. Immigration Agents, Par. in Ottawa 'Citizen' (remarks) 1101 (i).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7299 (iv).

Combines Investigation Act Amt. B. 101 (Mr. King) in Com., 7917; on M. for 3°, 7980 (v).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3917 (ii).

Fort William and Port Arthur Grain Supervisors, Number, Total Cost, &c. (Ques.) 3482 (ii).

Grain Mixing by Elevator Men at Fort William and Port Arthur, Charges *re* (remarks) 5933 (iv).

Grain Trade, Terminal Elevator Co., Tel. (read) 8240 (v).

See 'Western.'

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5547, 5838 (iii).

Indian Act Amt. B. 141 (Mr. Oliver) on M. for 2°, 5924; in Com., 5926 (iii).

Insects, Pests, Diseases B. 20 (Mr. Fisher) in Com., 5652 (iii).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 7952, 8465 (v).

Jones, Hon. L. M. and Hon. F. T. Frost, Apptmts, *re* Senate (Ques.) 2189 (ii).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep .of Com., 2906 (ii).

Manitoba Subsidy *re* School Lands (Ques.) 4310 (iii).

N.T.Ry. Commisison, Number of Members, Salaries, &c. (Ques.) 630 (i).

N.T.Ry., Wheat Shipments, &c. (Ques.) 1206 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4012 (iii).

Naval Defence, Lands available for Cost, &c. (Ques.) 1367 (i).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7320 (iv).

Souris Post Office (remarks) in Com. of Sup., 935 (i).

S. A. War, Expenditures for Imp. Govt. (Ques.) 632 (i).

SUPPLY—

Arts, Agriculture, &c. (animals' health) 7756 (v); (Dom. exhibitions) 7387; (experimental farms) 7341 (iv), 7765 (v).

Canals—Welland (elevators) 3121 (ii).

Civil Govt.—Agriculture (experimental farms) 227; Indian Affairs (salaries) 366 (i).

Dom. Lands (timber protection) 8492 (v).

Indians—Man. (Sioux) 7853 (v).

Public Works—Buildings—Ottawa (astronomical observatory) 541 (i).

SCHAFFNER, Mr. F. L.—*Con.*

SUPPLY—*Con.*

Public Works—Buildings—Que. (Roberval) 935 (i).

Public Works—Harbours and Rivers—N.S. (Port Maitland) 1169 (i).

Railways—Hudson Bay (surveys, &c.) 3068 (ii).

Railways—I C. R. (Pintsch gas) 2944 (ii).

Railways (Quebec bridge) 3072 (ii).

Trade and Commerce (Grain Act) 5715 (iii).

Tariff Negotiations with U. S., on M. (Mr. Fielding) for Com. on Ways and Means, 5967 (iv).

Trachoma in Regina Schools (remarks) 3390 (ii).

Tuberculosis, Prevention of, on prop Res. (Mr. Perley) 1409 (i).

Turtle Mountain Reserve, Homesteading, &c. (remarks) in Com. of Sup., 8492 (v).

—— Timber Reserve, Tree Planting, &c. (Ques.) 5932, 6181 (iv).

Walton, Mr. Geo., Payments to, &c. (Ques.) 3734 (ii).

—— (M. for ret.*) 5501 (iii).

Western Grain Trade, Letter from Mr. R. McKenzie (read) 8577 (v).

See 'Grain.'

SCHELL, Mr. M. S., *South Oxford.*

Agriculture Dept., Administration of, on M. for Sup., 7274 (iv).

Budget, The, 1804 (i).

Franco-Canadian Treaty B. 12 (Mr. Fielding) on M. for 2°, 767 (i).

Insects, Pests, Diseases Prevention B. 20 (Mr. Fisher) in Com., 5658 (iii).

Meat and Canned Foods Act Amt. B. 193 (Mr. Fisher) in Com., 6302 (iv).

SEALEY, Mr. W. O., *Wentworth.*

Combines Investigation Act B. 101 (Mr. King) in Com., 7890 (v).

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°, 3619 (ii).

Ottawa and Montreal Power and Transmission Co.'s incorp. B. 178 (Mr. Perley) in Com., 8599 (v).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5408 (iii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6383 (iv).

SEGUIN, Mr. P. A., *L'Assomption.*

Bout de L'Ile Bridge, Repairs to (remarks) 6394 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4991 (iii).

SEXSMITH, Mr. J. A., *East Peterborough.*

Budget, The, 1868 (i).

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).
See "Volunteers," &c.

SUPPLY—

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).

Public Works—Buildings—Ont. (Chesley) 7174; (Dundas) 7174; (Elora) 7174 (iv).

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).

Public Works—Miscellaneous (Lake Nipissing floods) 6164 (iv).

Public Works—Roads and Bridges, N.B. (St. John) 6151 (iv).

Public Works—Slides and Booms (St. (Maurice) 6150; (Saguenay) 6149 (iv).

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).

Bills, Royal Assent, Com. from Gov. Gen.'s sec. (read) 922 (i), 6606 (iv).
See 'Senate.'

Bout de L'Ile Bridge, Repairs Members remarks checked, 6396 (iv).

Budget, The, Interruptions, &c. (ruling) 2084 (ii).

—— on Ques. of Order (Mr. Pugsley) 2109 (ii).

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).

Controverted Elections Petitions, Certificate of Judges (presented) 1, 21 (i).

—— P. E. I., Certificate of Judges (presented) 256 (i).

SPEAKER, Mr.—*Con.*

Dauphin Post Office, Opening of, Members' remarks checked, 3136 (ii).

Distribution Office, Recommendation *re* Salary Increases, 620 (i).

Dom. Lands Act Amt. (B. 94) Ruling *re* Ques. of Order (Mr. J. A. Currie) 1730 (i).

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).

—— Vacancy (notification) 620 (i).

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).

—— on M. (Mr. Crocket) for papers to be laid on Table (ruling) 2632 (ii).

Glover, Robert, Pet. ruled out of Order, 1586 (i).

Govt. Railway Bill, Conference with Senate, Mess. from the Senate, 8834 (v).

Great Northwestern Tel. Co., Members remarks checked, 8241 (v).

House of Commons Staff, Re-organization of, withdrawn, 7977 (v).

Indian Lands, Sale in Alberta, Irregularity of Discussion (remarks) 119 (i).

Industrial Disputes Bill, on Personal Explanation (Mr. Macdonell) 8117 (v).

Inspection and Sales Act (bread) Amt. Bill, on M. (Mr. Currie to introduce (ruling) 518 (i).

—— on Ques. of Order (ruling) 620 (i).

I. C. R. Branch Lines B. 17, Members remarks checked, 1126 (i).

—— on Order for 2°, 1803 (i).

—— Res. from Senate re Amendments, 8828, 8855 (v).

I.C.R., Safety of Travel (remarks) 2278 (ii)

Interest Act Amt. B. 8 (Mr. Miller) on Ques. of Order re laying Letters on Table (ruling) 502 (i).

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).
——— Opening (read) 1 (i).
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).

Pubic Works—Buildings—Ont. (Mitchell) 7509 (v).

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).

Combines Investigation B. 101 (Mr. King) on M. for Com. on Res., 6845, 6887 (iv); in Com., 7895; on M. for 3°, 7977 (v).

——— Ques. of Order re Customs Law, on M. for 3°, 8002 (v).

Combinations in Restraint of Trade, Legislation *re* (remarks) 1363 (i).

SPROULE, Mr. T. S.—*Con.*

Committee on Standing Orders, on M. to conc. in 3rd Rep. of Com., 6606 (iv).

Conservation: *See* 'Natural.'

'Cotton's Weekly,' Discrimination *re* Postage (remarks) 5896 (iii).

——— Answers of P.M.G. (remarks) 8818 (v).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6988 (v).

Currency Act Amt. B. 195 (Mr. Fielding) in Com., 6629 (iv).

Debates, Official, 1st Rep. of Com., on M. to conc., 514 (i).

——— on M. (Mr. Gervais) to conc. in 2nd Rep. of Com., 3053 (ii).

Dominion Millers' Association B. 111 (Mr. Harris) in Com., 3874, 3916 (ii), 5772 (iii).

Dufferin Election, Date of (remarks) 623 (i).

——— Representation of: (notice) 521 (i).

Elections Act (deposits) Amt. B. 22 (Mr. Macdonell) on M. for 2°, 1272, 1284 (i).

Escheats to the Crown B. 206 (Mr. Aylesworth) in Com. on Res., 6976 (iv); in Com., 8885 (v).

Exchequer Court Act (ry. negligence) Amt. B. 159 (Mr. Aylesworth) in Com., 6183 (iv).

Fisheries Act (regulations) Amt. B. 192 (Mr. Templeman) in Com. on Res., 5910 (iii).

French Floods Relief Fund (remarks) *re* Grant, 3061 (ii).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 199; on M. for 2°, 747; on M. for 3°, 817 (i).

Gambling Bill, Pamphlet *re*, on Ques. of Priv. (Mr. Miller) 3943 (ii).

See 'Race Track.'

Georgian Bay Canal, Construction, on M. ,(Mr. White) for O. C.'s, 3574 (ii).

Govt. Annuities Act Amt. B. 155 (Mr. Fielding) in Com., 6330 (iv).

Govt. Measures for Session (remarks) on Easter Adjournment, 5893 (iii).

Guelph Junction Ry. Co.'s B. 218 (Mr. A. H. Clarke) on M. for 2°, 8056, 8380; in Com., 8625 (v).

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).

Industrial Disputes Act Amt. B. 198 (Mr. King) in Com., 8030 (v).

Inspection and Sales Act (bread) Amt. Bill, on M. (Mr. Currie) to introduce, 517 (i).

SPROULE, Mr. T. S.—*Con.*

Insurance Act B. 166 (Mr. Fielding) in Com. 7949, 8460, 8461 (v).

I. C. R., Sale of, on prop, Res. (Mr. Black) 2302 (ii).

I. C. R. Branch Lines Lease B. 17 (Mr. Graham) on M. for 2°, 1104 (i).

Interest Act Amt. B. 8 (Mr. Miller) on M. for 2°, 508; on laying letters on Table, 502 (i).

——— B. 73 (Mr. Miller) on M. for 2°, 2054 (ii).

International Waterways Canal and Construction Co.'s incorp. B. 119 (Mr. Conmee) on M. for 2°, 2674 (ii).

——— M. (Mr. Guthrie) to refund fees, 7512 (v).

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).

Lethbridge Post Office Accommodation, on M. for Sup., 7784 (v).

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).

See 'N. T. Ry.'

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).

Mines and Minerals Committee, on M. (Mr. R. Smith) *re* sittings, 6276 (iv).

SPROULE, Mr. T. S.—*Con.*

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).

Motor Vehicle Injuries B. 13 (Mr. Lewis) on M. for 2°, 2035 (ii).

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).

——— on Ques. of Order *re* Ref. to Gov. Gen., 4205 (iii).

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 5285 (iii).

Newspapers in Ontario, Patronage *re* Advertising (remarks) in Com. of Sup., 6142 (iv).

Obscene Literature: *See* 'Skill.'

Oka River Forest Reserve, Pet. *re* (remarks) 8583 (v).

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).

Pink Rock Wharf Ownership (remarks) in Com. of Sup., 4734 (iii).

——— Ques. of Priv. (Mr. Pugsley) 3747 (ii).

Protection Piers, &c. (remarks) in Com. of Sup., 3857 (ii).

Public Accounts Com., on M. to ref. Aud. Gen.'s Rep., 610 (i).

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.*

Questions standing as Notices of Motions (remarks) 6941 (iv).

Race Track Gambling B. 6 (Mr. Miller) in Com., on Procedure *re* discussion, 6558 (iv).
See 'Gambling.'

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).

Ry. Committee Report, Delay in presenting (remarks) 7190 (iv).

Ry. Mail Clerks, Recommendation of C. S. Commission *re* Standard Cars (Ques.) 5106 (iii).

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).

——— on Ques of Order (Mr. Pugsley) 7632 (v).

Rocky Mountains Park Regulations (Mr. Oliver) in Com. on Res., 6373 (iv).

Rules of the House, on M. (Sir Wilfrid Laurier) for Special Com., 1443 (i).

——— Distribution of Copies (remarks) 7867 (v).

——— in Com., on Rep. of Com., 8366 (v).

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).

SPROULE, Mr. T. S.—*Con.*

Skill and King, Release of, &c. (remarks) 7070 (iv).

Steel Bounties: *See* 'Iron.'

Sunday Postal Service, Closing at Winnipeg, &c. (remarks) 2932 (ii).

SUPPLY

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).

Public Works—Buildings—N. S. (Digby) 574; (Lunenburg) 576 (i).

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).

SPROULE, Mr. T. S.—*Con.*

SUPPLY—*Con.*

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).

Public Works—Miscellaneous (International Commission, N.B.) 6164; (Lake Nipissing floods) 6165; (McGee, Hon. D'Arcy, monument) 6160; (Ottawa water-storage dams) 6163; (telephone memorial) 6161; (Tilley, Sir Leonard, memorial) 6162 (iv).

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).

Railways—Hudson Bay (construction) 8820 (v).

Railways—I.C.R. (Beresford subway) 2872 (ii).

Railways—N.T. Ry. Quebec Bridge (construction) 8821 (v).

Railways—P.E.I. (Harmony-Elmira) 3063 (ii).

Trade and Commerce (Chinese immigration Act) 8810; (old age annuities) 8811 (v).

Tariff Negotiations with U.S., on M. (Mr. Fielding) for Com. on Ways and Means, 5946, 5974 (iv).

——— Information *re* (remarks) 5278, 5762 (iii), 5932 (iv).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1092 (i).

——— (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).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8007 (v).

Water Powers in Ry. Belt, B.C., B. 187 (Mr. Oliver) in Com., 6374 (iv); 8458 (v).

Western Power Co.'s B. 86 (Mr. Taylor) in Com., 3438 (ii).

Wolfe Island Dredging (remarks) in Com. of Sup., 6165 (iv).

Zinc Ores Smelting B. 182 (Mr. Templeman) in Com. on Res., 5795 (iii); in Com., 5938; on M. for 3°, 6618 (iv).

STANFIELD, Mr. J., *Colchester.*

Bass River and Little Dyke Lights, Supplies, Cost, &c. (Ques.) 2426 (ii).

Boat Harbour, Toney River, N.S., Expenditure to date, &c. (Ques.) 3676 (ii).

Cariboo Causeway, N.S., Expenditure *re* (M. for papers*) 3495 (ii).

'Earl Grey,' Str., Names, &c., of Crew, Wages, &c. (Ques.) 3486 (ii).

I.C.R., Accidents, Number, Dates, &c. (M. for ret.*) 5501 (iii).

——— Dismissals by Commissioners, &c. (Ans.) 164 (i).

——— Excursion Train from Truro to Tatamagouche, Receipts, &c. (Ques.) 1367 (i).

——— Passes from 1908 to 1909, Names, &c. (M. for ret.*) 276 (i).

——— inquiry for ret., 4812 (iii).

——— Purchasing Agent, Names, &c. (Ques.) 272 (i).

——— Rates, &c. (remarks) in Com. on Ry. Subsidies Bill, 8483 (v).

——— Sleeping Cars, Contract *re* Construction with Silliker Car Co. (Ques.) 5105 (iii).

——— Standard Pay for Machinists (Ques.) 259 (i).

Level Crossings Protection, Mr. J. Murphy's Report *re* (Ques.) 1198 (i).

McKenzie, Mr. Calvin, Emplymt. on I.C.R., Absence, &c. (Ques.) 3733 (ii).

Magdalen Islands and Pictou SS. Services, Tenders *re* (Ques.) 7065 (iv).

'Northumberland' Dredge, Leave of Absence to Crew to vote (Ques.) 4077 (iii).

Pictou Post Office Copper Roofing, Name of Contractor, &c. (Ques.) 3489 (ii).

Skinner's Cove Boat Harbour, Expenditure, &c. (M. for papers*) 3495 (ii).

SUPPLY—

Canals—Miscellaneous (Mrs. J. Gordon, allowance) 5616 (iii).

STANFIELD, Mr. J.—*Con.*

SUPPLY—*Con.*

Civil Govt.—Railways and Canals (contingencies) 248 (i).

Public Works—Harbours and Rivers—N.S. (Port Dufferin) 1161; (Port Maitland) 1166; (Port Malcolm) 1165 (i).

Railways—I.C.R. (air-brakes) 2882; (Beresford subway) 2872; (Chatham diversion) 2874; (highways) 2882; (Loggieville) 2886; (original construction) 2943; (Pintsch gas 2944; (Robinson's crossing) 2945 (ii).

Weights and Measures (gas inspection) 1355; (inspection) 1355 (i).

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).

Baie St. Paul, Title to Lot 73, Applications *re* Purchase (Ques.) 1017 (i).

Brandon City, Land purchased from Govt., Title, &c. (Ques.) 6182 (iv).

Budget, The (remarks) 1616 (i).

Carman Public Building (remarks) in Com. of Sup., 8182 (v).

Charleston or Kelmont P. O., Pets. *re* Establishing (M. for copies*) 2150 (ii).

——— Inquiry for Ret., 3682 (ii).

Combines Investigation B. 101 (Mr. King) in Com., 7902 (v).

Franking Privilege and Political Literature, &c. (remarks) 7804 (v).

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).

——— Boxes (remarks) 7881 (v).

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).

STAPLES, Mr. W. D.—*Con.*

Naval Defence B. 95 (Sir Wilfrid Laurier) on Amt. (Mr. Northrup) to M. for 2°, 5133 (iii).

——— on Ques. of Priv. (Mr. W. M. Martin) 4306 (iii).

Port Colborne Elevator (remarks) in Com. of Sup., 3121 (ii).

Post Office Act (ry. mail clerks) Amt. B. 197 (Mr. Lemieux) in Com., 7325 (iv).

Ry. Act (level crossings) Amt. B. 4 (Mr. Lancaster) on M. for 2°, 477 (i).

Ross Rifles, Distribution of, Ques. of Priv., 339 (i).

St. Andrews Dam, Bridge and Approaches (remarks) in Com. of Sup., 4264 (iii).

St. Laurent, Man., Wharf Piers, Expenditure *re* (Ques.) 1195 (i).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2648 (ii).

SUPPLY.

Arts, Agriculture, &c. (animals health) 7759 (v); (archives) 7284; (cold storage) 7364; (Dom. exhibitions) 7384; (experimental farms) 7336 (iv), 7765 (v).

Canals—Welland (elevators) 3121 (ii).

Civil Govt.—Indian Affairs (salaries) 362 (i); Post Office (salaries) 6650 (iv).

Harbours and Rivers—Man. (St. Laurent wharf) 4254 (iii).

Indians—Alberta (agricultural implements) 7857; (clothing, &c.) 7851; (medical attendance) 7849 (v).

Post Office—Miscellaneous (Holland) 7865 (v).

Public Works—Buildings—Man. (Portage la Prairie) 8182 (v).

Public Works—Buildings—Ottawa (military stores) 600; (museum) 570 (i).

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).

SUPPLY—

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).

SUPPLY—

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).

Naval B. 95, on M. for 2° (remarks) 4108 (iii)

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).

SUPPLY—

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.*

Agriculture Dept., Administration of, on M. for Sup., 7221 (iv).

Aud. Gen.'s Report, Delay in bringing down (remarks) 8856 (v).

——— Vol. II., on Inquiry for, 1445 (i).

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).

Debates, Official, 1st Rep. of Com., on M. to conc., 514 (i).

Deschenes Lake Dredging Plant, Purchase of (Ques.) 631 (i).

Dom. Dredging Co., Amounts paid by Govt. to (Ques.) 849 (i).

Easter Adjournment, on M. (Sir Wilfrid Laurier) 5688 (iii).

Ferguson Balloting Device, Examination *re*, &c. (Ques.) 7289 (iv).

Franking Privilege and Political Literature (remarks) 7832 (v).

French Treaty B. 12 (Mr. Fielding) in Com. on Res., 184; on M. for 2°, 779 (i).

Giant's Tomb Island, Estimate of Timber for Sale, Tenders re (Ques.) 4617 (iii).

G.T.P. Bonds, Total Amount guaranteed to 31st March, 1910 (Ques.) 8237 (v).

House of Commons, Steps and Walks to, Matting Coverings (remarks) 448 (i).

Immigration Act Amt. B. 102 (Mr. Oliver) in Com., 5537 (iii).

Indian Industrial School, Regina, Closing of (Ques.) 6179 (iv).

Inland Revenue Act (warehouse) Amt. B. 9 (Mr. Templeman) in Com. on Res., 152 (i).

Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 7944 (v).

'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).

Labour Hours on Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2901 (ii).

La Butte Indian School, Payments to, &c. (Ques.) 6179 (iv).

Lobster Fisheries Investigation Rep. on M. (Mr. Sinclair) to conc., 8105 (v).

Lumsden Charges, &c. (M.) to adjn. debate, 5599 (iii).

Manitoba Boundaries Vote, on Amt., Ques. of Order re Sol. Gen.'s Vote, 8167 (v).

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).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6965 (iv).

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).

Questions standing as Notices of Motion (remarks) 6941 (iv).

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).

Saturday Sitting of Hse (remarks) 8110 (v).

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).

Arts, Agriculture, &c. (animals' health) 7755 (v); (archives) 7284; (Can. exhibit, London) 7380; (census) 7373; (cold storage) 7362; (dairy and fruit) 7362 (iv); (experimental farms) 5724 (iii); (experimental farms) 7764 (v): (farm bulletins) 7377; (Patent Record) 7371; (tobacco) 7380 (iv).

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).

House of Commons (sessional indemnities) 7774 (v).

Immigration (agencies) 5729 (iii).

Indians—Generally (land management fund) 7838 (v).

Indians—Man. (live stock) 7848; (Sioux) 7853 (v).

Indians—N.B. (salaries) 7846 (v).

Indians—N.S. (roads, &c.) 7845 (v).

TAYLOR, Mr. GEO.—*Con.*

SUPPLY—*Con.*

Indians—Ont. (medical attendance) 7836 (v).

Indians—P.E.I. (Lennox Island wharf) 7847 (v).

Indians—Sask. (Elkhorn schools) 7861 (v).

Inland Revenue (minor revenues) 1358 (i).

Mail Subsidies and SS. Subventions (Atlantic ports to Australia) 8811; (Can. and Mexico) 8809; (Prince Rupert and Queen Charlotte Sound) 8809; (Riviere du Loup) 8810 (v).

Miscellaneous—(Can. Handicrafts guild) 7866; (Naturalization Act) 7865 (v).

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

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) in Com., 8090, 8389 (v).

Water Carriage of Goods B. 25 (Mr. Brodeur) in Com., 8008 (v).

Wrecking Plant on Pacific and Atlantic Coasts (M. for cor.) 644 (i).

TAYLOR, Mr. J. D., *New Westminster.*

Barge, W. R., Application *re* License, Extension of Time, &c. (Ques.) 5002 (iii).

Behring Sea Sealing Arbitration, Expenditure by British and Can. Govts. (Ques.) 2716 (ii).

B. C. Lt.-Governorship, Appmt. of Mr. F. C. Wade, Charges *re* (remarks) on M. for Sup., 523 (i).

—— Recommendations from Political Organizations *re* F. C. Wade, K.C. (Ques.) 382 (i).

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).

Franking Privilege, Justice Dept. (Ques.) 1207 (i).

—— Political Literature franked by Sol. Gen. on M. for Sup., 7784; (amt.) 7792; Neg. (Y. 49; N. 79) 7834 (v).

Fraser River Dredging, Depth of Channel, &c. (Ques.) 2487 (ii).

—— Inundations, &c. (remarks) in Com. of Sup., 4212 (iii).

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).

Mail Matter, Free Delivery to Street Address (Ques.) 7869 (v).

—— (remarks) 8118 (v).

N.T.Ry. Commissioners, Profits *re* Supplies, &c. (Ques.) 3165 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 3°, Ques. of Order, 7563 (v).

—— on Ques. of Priv. (Mr. W. M. Martin) 4307 (iii).

New Westminster, Dom. Land, Lease, Sale, &c. (Ques.) 788 (i), 3160 (ii).

—— Penitentiary, Contract *re* Fish Supply (Ques.) 7516 (v).

—— Post Office Apptmts., Application to, &c. (Ques.) 2951 (ii).

Pitt Meadows, B.C., Lease of Lands on special Terms, &c. (Ques.) 274 (i).

Port Moody Wharf Repairs (remarks) in Com. of Sup., 4728 (iii.)

Postal Violations, Penalties, &c. (Ques.) 2292 (ii).

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).

Public Works—Harbours and Rivers—B.C. (Chilliwack) 4298; (Columbia river) 4280; (Coquitlam) 4291; (Fraser river) 4295; (Lillooet river) 4298; (Port Moody) 4728; (Serpentine river) 4304 (iii).

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).

B.C. Public Works, Expenditure by Govt. (remarks) in Com. of Sup., 4281 (iii).

Burlington Customs Collector, Outside Employment (Ans.) 5002 (iii).

Chambord Customs Office, Discontinuance of (Ans.) 4515 (iii).

Cigarettes, Number manufactured and imported (Ans.) 631 (i).
See 'Inland.'

Cirkle, Mr. Fritz., Emplymt. by Govt. (Ans.) 5498 (iii).

Civil Service Act Amt. B. 205 (Mr. Fisher) in Com., 7310 (iv).

Coal Supply to Lighthouse Keepers (remarks) 8585 (v).

—— (stmnt. read) 8831 (v).

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., 8032, 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).
See 'Man.' 'Lobsters.'

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).

[illegible]ical 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) 1542 (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).

VERVILLE, Mr. A., *Maisonneuve.*

Evers, T., Total Payments to *re* Lachine Canal Expenses (Ques.) 2428, 2927 (ii).

Hours of Labour on Public Works (B. 21) 1° m., 256; 2° m., 1209; (M.) to ref. to Special Com., 1263 (i).

Independent Order of Rechabites incorp., (B. 112) 1°*, 2221 (ii).

Industrial Conditions, Increases in Wages, &c. (Ques.) 168 (i).

Labour, Hours of Public Works, on M. (Mr. King) to conc. in 2nd Rep. of Com., 2897 (ii).

Lachine Canal, Amount of Work *re* Repairs, &c. under Denis O'Brien (Ques.) 1964 (ii).

——— Carpenter Shop, Estimated Expenditure, &c. (Ques.) 627 (i).

——— Carpenter Shop, Number of Employees, Dismissals, &c. (Ques.) 1006 (i).

——— Dismissals, &c. by Denis O'Brien, Pay Sheets, &c., (M. for copy*) 1547 (i).

——— Dismissals by Denis O'Brien, Promotion, &c. (Ques.) 1367 (i).

——— Electric Machinery at Mill St. Station, Damages to (Ques.) 5103 (iii).

——— Labourers, Names of those paid out of vote of $3,100 (Ques.) 2428 (ii).

——— Supply of Douglas Fir, Quantity on hand, &c. (Ques.) 1368 (i).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4383 (iii).

SUPPLY—

Public Works—Buildings—Que. (Maisonneuve) 671 (i).

Technical Education, Commission *re*, on prop. Res. (Mr. Guthrie) 1052 (i).

WALLACE, Mr. T. G., *Centre York, Ont.*

Baby Farm Sale B. 181 (Sir Frederick Borden) in Com. on Res., 5792 (iii).

Blythe, Walter, Postponed Execution of, (M. for papers) 2009 (ii).

Gravel, Mr. A. J., Inspector of Weights and Measures, acting as Insurance Agent, &c. (Ques.) 6505 (iv).

Horse-Racing Regulation (B. 81) 1° m., 1529 (i).

——— (remarks) 6617 (iv).

Lyons, Mr. Alex., Detention at Ellis Island (remarks) 8586 (v).

McArthur, F. J. Gustin Relief (B. 140) 1°*, 3390 (ii).

Markham Post Office Site, Cost, &c. (Ques.) 99 (i).

——— Completion and Opening (remarks) 3137 (ii).

Metropolitan Racing Association, Grant of Charter by Sec. of State (Ques.) 849 (i).

Militia Pensions Act Amt. B. 194 (Sir Frederick Borden) in Com. on Res., 6014; in Com., 6193 (iv).

Naval Defence B. 95 (Sir Wilfrid Laurier) on Amt. (Mr. Northrup) to M. for 2°, 5149 (iii).

Newmarket Canal, Estimated Cost in 1909 Expenditure, &c. (Ques.) 98 (i).

North Toronto, Free Postal Delivery (remarks) in Com. of Sup., 7864 (v).

Northwest Lands in Townships 52, 53 and 54, Terms of Sale, &c. (Ques.) 1373 (i).

Shipping Tonnage Registered in Canada, Number of Seamen, &c. (Ques.) 5890 (iii).

S. A. Patriotic Fund, Control of, Complaints *re* &c. (Ques.) 2952 (ii).

Stanley Barracks, Sale of Baby Farm, &c (Ques.) 2952 (ii).

SUPPLY—

Canals—Trent (Newmarket) 3107 (ii)

Post Office—Outside Service (salaries) 7864 (v).

Vitrified Sewer Pipe Imports, Duty collected &c. (Ques.) 3931 (ii).

Volunteer Bounty Act Amt. B. 163 (Mr. Oliver) on M. for 2°, 6388 (iv).

WARBURTON, Mr. A. B., *Queens, P.E.I.*

Easter Adjournment, on M. (Sir Wilfrid Laurier) 5688 (iii).

Engineers, Status in Civil Service, Pensions, &c. (M. for memorials, &c.) 2019 (ii).

Mar. Provinces, Representation in H. of C., Pet. *re* B. N. A. Act, on prop. Res. (Mr. Kyte) 2735 (ii).

See 'Representation.'

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 3946 (ii).

WARBURTON, Mr. A. B.—*Con.*

P. E. I. Ry., Branch through New London. Memorials, &c. *re* Surveys (M. for copies*) 5500 (iii).

P. E. I. Tunnel, Memorial, Surveys *re* Construction (M. for copies) 277 (i)

P. E. I. Winter Communication, Changes in Routes, Memorials, &c. (M. for copies) 3171 (ii).

Public Accounts Com. (M.) to ref. Aud Gen.'s Rep. to Com., 602 (i).

Representation in H. of C. of Mar. Provs., Memorials, &c. (M. for copy)—(amt.) 644 (i).

WHITE, Mr. G. V., *North Renfrew.*

Coal Importations from U. S. from 1905 to 1909 (Ques.) 842 (i).

Georgian Bay Canal, O.C.'s &c., *re* Construction (M. for copies) 3495 (ii).

——— Inquiry for Ret., 6616 (iv).

Incubators, Total Number imported from U. S., 1909 (Ques.) 169 (i).

——— (M. for ret.*) 414 (i).

I.C.R., on Annual Stmnt., 2815 (ii).

Navigable Waters Protection Act Amt. B. 103 (Mr. Pugsley) in Com., 6216 (iv).

Ottawa Northern and Western Ry. Co.'s B. 34 (Mr. McGiverin) in Com., on Amt., 1365 (i).

Petawawa Military Review, Visit of Sir John French, Arrangements *re* (Ques.) 4129; (remarks) 5279 (iii).

Petawawa Wharf, Protection, &c. (remarks) in Com. of Sup., 6216 (iv).

Return, Inquiry for, 8585 (v).

St. Lawrence Channel, Deepening from Port Colborne to Montreal, Estimated Cost, &c. (Ques.) 841 (i).

Stampers and Sorters, Salary Increases (remarks) in Com. on C. S. Bill, 6060 (iv).

SUPPLY—

Arts, Agriculture, &c. (live stock industry) 7750 (v).

Waterways Committee, Meeting, &c. (remarks) 3390 (ii).

WHITE, Mr. W. H., *Victoria, Alberta.*

Northern Empire Ry. Co.'s (B. 154) 1°*, 5277 (iii).

Pine Pass Ry. Co.'s incorp. (B. 46) 1°*, 515 (i).

SUPPLY—

Arts, Agriculture, &c. (cold storage) 7366 (iv).

Public Works—Harbours and Rivers—Alberta (Saskatchewan river channel) 4275 (iii).

WILCOX, Mr. O. J., *North Essex.*

Budget, The, 2168 (ii).

Crude Petroleum Bounty B. 208 (Mr. Graham) in Com. on Res., 6999 (iv).

Fisheries Regulations and N. Essex Fishermen (remarks) in Com. of Sup., 8811 (v).

I.C.R. Wire Fencing, Tenders, Prices quoted, &c. (M. for ret.*) 2150 (ii).

——— Tenders for 1909, &c. (Ques.) 1974 (ii).

Race Track Gambling B. 6 (Mr. Miller) on M. for Com., 6448 (iv).

SUPPLY—

Customs—Outside ports (contingencies) 8806 (v).

Walkerville, Post Office, Appropriation for (Ques.) 1373 (i).

WILSON, Mr. C. A., *Laval.*

Bout de L'Ile Bridge, Repairs to (remarks) 6396 (iv).

Georgian Bay Canal, Construction, on M. (Mr. White) for O.C.'s, 3544 (ii).

Immigrants deported, Number, &c. (Ques.) 1374 (i).

Juvenile Offenders, Number condemned in Can. (Ques.) 1374 (i).

Mail Privileges *re* Postal Regulations, Members Privileges, &c. (Ques.) 2146 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on M. for 2°, 4457 (iii).

Postal Regulations, Duration of Recess of Parlt. (Ques.) 2486 (ii).

Race Track Gambling B. 6 (Mr. Miller) on M. for 2°, 880 (i); on M. for Com., Ques. of Order *re* Translation of Evidence before Special Com., Appeal from Speaker's Decision, Neg. (Y. 55; N. 99) 6406 (iv).

Speedy Trial Act, Number of Cases heard, &c. (Ques.) 1374 (i).

SUPPLY—

Adulteration of Food (prosecutions) 1352 (i).

WILSON, Mr. U., *Lennox and Addington.*

Combines Investigation B. 101 (Mr. King) on M. for Com. on Res., 6846 (iv).

Emigration from Canada, System of Record-keeping (Ques.) 268 (i).

Immigrants located on Bay of Quinte Ry., Number, &c. (Ques.) 7872 (v).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5519; in Com., 5545 (iii); 5802, 5830, 5880 (iv); on Senate Amts., 8401 (v).

Immigration Agents, Names, Addresses, Salaries, &c. (M. for ret.*) 171 (i).

——— Inquiry for Ret., 2222, 2797 (ii).

Immigration O.C.'s and Regulations (M. for copies*) 109 (i).

Lobster Fisheries Investigation Rep., on M. (Mr. Sinclair) to conc., 8107, 8230 (v).

WILSON, Mr. U.—*Con.*

Napanee River Dredging Contract, Total Expenditure, &c. (M. for copies*) 109 (i).
Napanee River Dredging (M. for cor.*) 1022 (i).
Napanee River, Dredging, on M. for Sup., 1155 (i).
——— (Ques.) 1194 (i).
North Atlantic Trading Co. Claims for Moneys, Fiat granted, &c. (Ques.) 640 (i).
——— Cor. with Govt. (M. for copies*) 644 (i).
Ottawa Improvement Commission B. 230 (Mr. Fielding) in Com., 8770 (v).
Rideau Hall Furniture, Inquiry for Ret., 8742 (v).
Royal Guardians B. 120 (Mr. Rivet) in Com., 7257 (iv).
Royal Military College Act Amt. B. 180 (Sir Frederick Borden) in Com. on Res., 5783 (iii).
Rules of the House, in Com. on Rep., 8371 (v).

SUPPLY—
Civil Govt.—Interior (salaries) 8194 (v); Post Office (Salaries) 6696 (iv).
Immigration (agents) 8195 (v): (contingent expenses) 8210 (v).
Indians — Generally (land management fund) 7838; Ont. (medical attendance) 7835 ; Ont. and Que. (surveys) 7837 (v).
Public Works — Buildings — Alta. (Lethbridge) 8188; (Strathcona) 8189 (v).
Public Works—Buildings—Generally (tobacco stations) 8191 (v).
Public Works—Buildings—Ottawa (astronomical observatory) 542 (i); (grounds) 8191; (Rideau Hall grounds) 8192 (v).
Public Works—Buildings—Que. (Quebec P. O.) 824 (i).
Public Works—Buildings—Sask. and Alberta (immigration) 5607 (iii).
Public Works—Miscellaneous (Brown, Hon. Geo., monuments) 6158; (Ottawa river water storage dams) 6162 (iv).
Public Works—Roads and Bridges—Ottawa (city bridges) 6152 (iv).
Public Works—Telegraph Lines—Alberta (Limerick-Gravelburg) 6155 (iv).

WORTHINGTON, Mr. A. N., *Sherbrooke.*

Army Service Corps, Charges *re* two Officers, &c. (Ques.) 2288 (ii).
See 'de la Ronde.'
Canadians appointed in Permanent Forces, Proportion, &c. (Ques.) 5498 (iii).
Canadian Militia Officers, Dismissal, &c., Cor. *re* Courts of Inquiry, &c. (M. for cor*.) 5501 (iii).
De la Rondes, Major and Capt., Charges *re* Malfeasance in Army Service Corps (M. for cor.*) 414 (i).
——— (Ques.) 135 (i).
——— Rep. of Justice Dept. (Ques.) 5500 (iii).

WORTHINGTON, Mr. A. N.—*Con.*

Drill Halls and Armouries, &c., Contribution to Cost of (Ques.) 1534 (i).
——— (M. for Ret.*) 2149 (ii).
Dunkin and Highwater Mail Service, Contract to C. A. Barnett, &c. (Ques.) 4312 (iii).
Eastern Cavalry Bridage, Place of Training, Strength, Cost, &c. (Ques.) 636 (i).
Esquimalt Naval Station, Negotiations *re* Transfer from Imp. Govt. (Ques.) 265 (i).
Fenian Raid Veterans, Land Grants, &c. (Ques.) 789 (i).
Garrison and Artillery Regiments, Supply of 12-pounder B. L. Guns (Ques.) 1593 (i).
Halifax and Esquimalt Docks, Protection *re* Deterioration, &c. (Ques.) 1010 (i).
Highland Cadet Corps, Montreal, Free Import of Military Clothing (M. for cor.*) 3495 (ii).
Horse-Breeding for Military Purposes (Ques). 843 (i).
Immigration into Eastern Townships, Total Number, Agents, &c. (Ques.) 637 (i).
Improved Paper Machinery Co.'s (B. 67) 1°*, 1360; in Com., 3137 (ii).
Insurance Act Amt. B. 166 (Mr. Fielding) in Com., 7944 (v).
Militia Active Service, Requirements *re* Standard Rifle Shooting, &c. (Ques.) 1595 (i).
Military Articles for Uniforms, &c., Free Importation of (Ques.) 2927 (ii).
Militia Clerks, Apptmts. without Examination, &c. (Ques.) 1375 (i).
Militia Clothing, Amounts deducted from Allowances for Deficiencies, &c. (M. for ret.*) 2149 (ii).
——— Life of, Purchases of New Articles (Ques.) 1018 (i).
Military Courts of Inquiry, Curtailment of Rights, &c. (Ques.) 275 (i).
Militia Expenditure re Fortifications, &c., Submission to Leader of Opposition (Ques.) 1778 (i).
Militia Field Allowance, Expenses of Staff Officers (Ques.) 1201 (i).
Militia, Govt. Policy *re* Armouries, &c. (Ques.) 1594 (i).
Militia Harness and Saddlery Tenders, &c for 1909 (M. for ret.*) 2149 (ii).
——— (Ques.) 1780 (i).
Militia Inspection Pay, Rates to Inspectors (Ques.) 1535 (i).
Militia Medical Attendance, Money Allowance for married Officers (Ques.) 1595 (i).
Militia Officers, Provisional School Allowance (Ques.) 1019 (i).

WORTHINGTON, Mr. A. N.—*Con.*

Militia Ordnance Stores, Damage by Fire, Value, &c. (Ques.) 386 (i).

Militia Pay and Allowance Regulations, &c. (Ques.) 1377 (i).

Militia Provisions re Arms, &c. for active War Establishments, &c. (Ques.) 842 (i).

Militia Regulations, Latest Edition, Date of Issue, &c. (Ques.) 639 (i).

Militia Tents, Average Cost, Tenders, &c. (Ques.) 1779 (i).

——— (M. for ret.*) 2149 (ii).

Military Topographical Surveys, Expenditure re (Ques.) 1375 (i).

Mobilization Equipment, Canadian System *re* (Ques.) 1200 (i).

Ordnance Corps, Ottawa, Lodging Allowance, Ottawa Collegiate, &c. (Ques.) 1203 (i).

Ordnance Militia Stores Buildings, Instruction to Dom. Police *re* Patrolling (Ques.) 837 (i).

Ottawa Army Service Corps at Quebec, Authority for employing Horses, &c. (Ques.) 2289 (ii).
See 'de la Ronde.'

Permanent Militia Corps, Increase of Establishments, &c. (Ques.) 843 (i).

——— Cost of Maintenance, &c. (Ques.) 1781 (i).

——— Officers, Entertaining Allowance (Ques.) 1530 (i).

——— Requirements re Instructions, &c. (Ques.) 1011 (i).

——— Schools of Instruction, Number, Certificates issued, &c. (Ques.) 1531 (i).

——— Total Strength and Expenditure, &c. (Ques.) 266 (i).

Permanent Officers, Annual Cost per man (Ques.) 1013 (i).

——— Payments re Scale, &c. (Ques.) 1012 (i).

Public Buildings, Heating and Lighting Contracts (Ques.) 1203 (i).

Rifles for Cadet Corps, Number, Pattern, Applications for, &c. (Ques.) 265 (i).

Rifle Practice, Facilities, &c. (Ques.) 1594 (i).

——— Schools of Instruction at St. John (Ques.) 1776 (i).

Ross Rifles, Answer of Minister to Question: Ques. of Order, 1597 (i).

——— Dates of Issue of Special Marks (M. for ret.*) 154 (i).

Ross Rifles, Marks I and Marks II**, Defects, Issue of, Contract re (Ques.) 1532; on Ques. of Order, 1534 (i).

WORTHINGTON, Mr. A. N.—*Con.*

Ross Rifle Mark II**, Certificate *re* Bisley Team, Number issued, Names, &c. (Ques.) 273 (i).

——— Contract *re* (Ques.) 4311 (iii).

——— Number received and contracted for, &c. (Ques.) 5499 (iii).

Ross Rifle, Regulations *re* National Rifle Association, on M. (Mr. Hughes) to adjn., 4529 (iii).

——— Special Issue to Bisley Team, &c. (Ques.) 134 (i).

——— Submission to N. R. Ass'cn *re* Bisley Meet (Ques.) 4082 (iii).

Royal Canadian Dragoons, Transfer from St. Johns, Que. &c. (Ques.) 3491 (ii).

R. N. W. M. Police, Emplymt. by Alberta and Sask., Arrangements *re* (Ques.) 843; (i).

St. Johns Que., Military Property, Valuation, Disposal, &c. (Ques.) 3737 (ii).

St. Lambert Military School of Instruction, Purchase of Site, &c. (Ques.) 3738 (ii).

Saddlery and Harness for Militia, Average, Cost, &c. (Ques.) 1780 (i).
See 'Militia.'

Sub-target Rifle Machines, Number purchased, Total Cost, &c. (Ques.) 1799 (i).

Sutherland Rifle Sights, Number contracted for, &c .(Ques.) 1535 (i).

SUPPLY—

Public Works—Buildings—Que. (Fraserville) 662; (generally, renewals, &c.) 662; (Grosse Isle) 665; (Joliette) 662; (Lachine, clock) 667; (Lachine, heating) 667; (Levis) 668; (Quebec ordnance stores) 968 (i).

U. S. Training Vessels on Great Lakes, Violation of Rush-Bagot Treaty, &c. (Ques.) 103 (i).

Winnipeg Barracks, Completion, &c. (Ques.) 1777 (i).

Woollen Industry, Rep. of Mr. Costello and W. G. Clarke (Ques.) 3737 (ii).

WRIGHT, Mr. W., *Muskoka.*

Beaumarais Wharf (remarks) in Com. of Sup., 4254 (iii).

Combines Investigation (B. 101) on M. for Com. on Res., 6892 (iv).

Immigration Act Amt. B. 102 (Mr. Oliver) on M. for 2°, 5526; in Com., 5832 (iii).

Insects, Pests Diseases Prevention B. 20 (Mr. Fisher) in Com., 5667 (iii).

Latchford Dam, Montreal River, Contract *re* (Ques.) 3165 (ii).

Naval Defence B. 95 (Sir Wilfrid Laurier) on Amt. (Mr. Northrup) to M. for 2°, 5152 (iii).

WRIGHT, Mr. W.—*Con.*

Nelson River Ry. Co.'s incorp. B. 52 (Mr. Rutan) in Com., 4839 (iii).

Oka Indians (remarks) in Com. of Sup., 7844 (v).

Prince Albert and Hudson Bay Ry. Co.'s B. 69 (Mr. Neely) in Com., 4841 (iii).

Restigouche Log Driving and Boom Co.'s B. 150 (Mr. Carvell) on M. for 2°, 4843 (iii).

St. Lawrence Power Transmission Co.'s incorp. B. 115 (Mr. Pardee) in Com., 5387 (iii).

Seed Control Act Amt. B. 55 (Mr. Fisher) in Com., 2653 (ii).

SUPPLY—

Canals—Trent (improvements) 3126; (Newmarket) 3118 (ii).

Indians — Generally (land management (fund) 7837 (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) 7337 (v).

Indians—P. E. I. (Lennox Island Wharf) 7847 (v).

Mail Subsidies and SS. Subventions (Canada and Cuba) 5763; (Canada and Mexico) 5691 (iii).

Public Works—Buildings—N.S. (Wolfville) 579 (i).

WRIGHT, Mr. W.—*Con.*

SUPPLY—*Con.*

Public Works—Buildings—Ottawa (deptl. buildings, new) 552; (Royal Mint) 564 (i).

Public Works—Buildings—P. E. I. (Charlottetown) 580 (i).

Public Works—Buildings—Que. (Marieville) 683; (Rock Island) 947; (Roberval) 931; (St. Henri) 952 (i).

Public Works — Dredging — Mar. Provs. (generally) 4784 (iii); Que. and Ont. (generally) 6132 (iv); Dredging (new plant) 4760 (iii).

Public Works—Harbours and Rivers—N. S. (Port Hood) 1162; (Port Maitland) 1175 (i).

Public Works—Harbours and Rivers—Ont. (Port Arthur and Fort William) 5732 (iii).

Public Works—Harbours and Rivers—Que. (Laprairie) 4221 (iii); (Paspebiac) 3912 (ii); (Riviere Ouelle) 4212; (Ste. Anne des Monts) 4232; (Ste Croix) 4236; (Three Rivers) 4250; (Vaudreuil Cove) 4211 (iii);

Railways—Miscellaneous (statistical officers) 3131 (ii).

Telegraphs Act Amt. B. 105 (Mr. Lemieux) in Com., 6012 (iv).

Watha Indian Reserve, Sale of Timber, &c. (Ques.) 843 (i).

Wharfs transferred to Marine Dept. (remarks) in Com. of Sup., 3883 (ii).

Wharfs under P. W. Dept, Collection of Dues (remarks) in Com. of Sup., 4231 (iii).

INDEX—SUBJECTS

Accidents on Govt. Rys., Jurisdiction of Exchequer Court: *See* 'B. No. 159.'

Address, The, in Ans. to His. Ex.'s Speech: Moved (Mr. Ecrement) 22; Seconded (Mr. Kyte) 27.

Debate:—(Mr. R. L. Borden) 33; (Sir Wilfrid Laurier) 40; (Mr. Monk) 47; (Mr. W. F. Maclean) 52; (Mr. Foster) 60; (Mr. A. Haggart) 67; (Mr. Sproule) 73; (Mr. Lewis) 82; (Mr. Graham) Denial *re* reported Speech, 81 (i).

——— M. *re* Precedence (Sir Wilfrid Laurier) 5 (i).

——— M. to Present (Sir Wilfrid Laurier) 93 (i).

——— Reply from His Ex.: Presented (Sir Wilfrid Laurier) 1586 (i).

Address to Earl Grey on close of Term of Office: Moved (Sir Wilfrid Laurier) 8737; Seconded (Mr. R. L. Borden) 8740 (v).

Adjudication of Claims Treaty, Ratification of: Remarks (Mr. Boyce) 5003 (iii).

Administration of Oaths of Office: *See* 'B. No. 1.'

Adulteration of Food, Inspectors, Prosecutions, &c.: in Com. of Sup., 1345 (i).

Aid to C. N. Alberta Ry. Co.: *See* 'B. No. 227.'

Aids to Navigation, Construction: in Com. of Sup., 8525 (v).

Air-Brakes to Freight Cars, I.C.R.: in Com. of Sup., 2881 (ii).

'Air-Brake Magazine,' Postal Regulations re: Remarks (Mr. Hughes) 6694 (iv), 8118 (v).

Airships, Development of for Militia Purposes, Govt. Assistance, &c.: Ques. (Mr. T. Chisholm) 1369 (i).

——— Assistance to Messrs. McCurdy and Baldwin: Ques. (Mr. T. Chisholm) 446 (i).

AGRICULTURE.

Agriculture Bulletins, Number distributed, &c.: Ques. (Mr. Paquet) 789 (i).

Agriculture, Deptl. Administration: Statement (Mr. Fisher) on M. for Sup., 7351, 7191, 7270 (iv).

——— Criticism of Methods: Ques. of Priv. (Mr. Campbell) 1364 (i).

——— Deptl. Salaries: in Com. of Sup., 219 (i), 5724 (iii), 7764 (v).

Agriculture and Experimental Farms, Deptl. Rep.: Presented (Mr. Fisher) 7 (i).

AGRICULTURE—*Con.*

Agricultural Products exported from 1906-9, Amount, &c.: Ques. (Mr. W. H. Sharpe) 4618 (iii).

Animal Breeding, Examination of Inspecting Vet. Surgeons: Remarks (Mr. Fisher) *re* Question, 6941 (iv).

Animals' Health: in Com. of Sup., 7755 (v).

Apples grown in Quebec Prov.: Remarks (Mr. Fisher) &c., in Com. on Bill, 5635 (iii).

Cattle Inspection on Ships: in Com. of Sup., 8519 (v).

Cattle Quarantine Stations: in Com. of Sup., 8193 (v).

Census and Statistics: in Com. of Sup., 7373 (iv).

Cold Storage for Fruit: in Com. of Sup., 7383 (iv).

Cold Storage Warehouses for Food Products: in Co. of Sup., 7362 (iv).

Dairying and Fruit Industries, Transportation, &c.: in Com. of Sup., 7362 (iv).

Experimental Farms at Agassiz, B.C., Dom. Contribution *re* Construction: Ques. (Mr. J. D. Taylor) 2294 (ii).

Experimental Farms: in Com. of Sup., 7333 (iv).

——— Branch Stations, &c.: in Com. of Sup., 5724 (iii), 7392 (iv), 7764-5 (v).

Experimental Farms, Contingencies: in Com. of Sup., 227 (i).

Experimental Farm at Ottawa, Number of Horses, &c.: Ques. (Mr. S. Sharpe) 5002 (iii).

——— Lethbridge, Cor., &c., *re* Establishing: M. for Copies* (Mr. Magrath) 2150 (ii).

Farm Bulletins, Printing, &c.: in Com. of Sup., 7377 (iv).

Farm and Dairy Produce, Amount exported: Ques. (Mr. Armstrong) 1016 (i).

'Farm Weeds,' Expenditure *re* Preparation, Printing, &c.: Ques. (Mr. Foster) 1965 (ii).

Garden Fruits and Vegetables, Pet. *re* Removal of Duty: Remarks (Mr. Bradbury) on M. for Sup., 6646 (iv).

Holsteins and Jersey Cattle at Experimental Farms: Ques. (Mr. Armstrong) 4309 (iii).

Live Stock Industry, Development of: in Com. of Sup., 7748 (v).

AGRICULTURE—*Con.*
Poultry Dept., Experimental Farm, Number of Employees, Salaries, &c.: Ques. (Mr. W. H. Sharpe) 4519 (iii).
Rabies, Regulations by Dept. of Agriculture: Remarks (Mr. Blain) 4532 (iii).
Swine Industry, Commission *re* Investigation, Report, &c.: Ques. (Mr. S. Sharpe) 5782 (iii).
Swine Commission, Report of: Ques. (Mr. Armstrong) 2429 (ii).
Swine Industry in Ireland, Inquiry for Rep. (Mr. Broder) 5689 (iii).
Tobacco Curing Experimental Stations: in Com. of Sup., 8191 (v).
Wheat, Oats, &c., Average Production of Spring and Fall, 1909: Ques. (Mr. W. H. Sharpe) 5777 (iii).
Alberta and British Columbia Ry. Co.: *See* 'B. No. 214.'
Alberta Coal Areas, Total Estimated Tonnage, &c.: Ques. (Mr. Magrath) 1010 (i).
Alberta, Peace River and Eastern Ry. Co.: *See* 'B. No. 219.'
Albert Medal: *See* 'Reynolds.'
Alcoholism International Conference, Canadian Representation: Remarks (Mr. Foster) 521 (i).
Alfalfa Seed: *See* 'B. Nos. 16 and 55.'
Algoma Central and Hudson Bay Ry. Co.: *See* 'B. No. 110.'
Algoma Free Mail Delivery, Applications *re*: Ques. (Mr. Boyce) 1020 (i).
Alien Labour Law, Abolition of, Pets. *re*: Ques. (Mr. Macdonell) 271 (i).
——— Violation of *re* Mechanics in Shipbuilding: Remarks (Mr. Thoburn) 4813 (iii).
Alien Labourers on Rys.: Remarks (Mr. Schaffner) 8577 (v).
Allan SS. Co., Calling at Halifax: Remarks (Mr. Crosby) 3057, 3209 (ii).
Allard and Prevost, Govt. Contracts, &c.: Ques. (Mr. Crothers) 2488 (ii).
——— Remarks (Mr. Crothers) 2635 (ii).
All-Red Route, Rep. *re* Negotiations, Legislation, &c.: Ques. (Mr. Monk) 269 (i).
Analytical Index to Hansard, &c.: Ques. (Mr. Foster) 2138 (ii).
Angus, Wm., Apptmt. as Naturalization Commissioner: Ques. (Mr. Roche) 3165 (ii).
Animal Breeding, Examination of Inspecting Vet. Surgeons: Remarks (Mr. Fisher) *re* Question, 6941 (iv).
Animals' Health: in Com. of Sup., 7755 (v).
Annapolis Harbour Ice Piers: in Com. of Sup., 976 (i).
Annual Drill, Militia: in Com. of Sup., 8564 (v).
See 'Militia.'
Annuities Act Amt.: *See* 'B. No. 155.'
Annuities Act, Expenditure *re* Administration, Receipts, &c.: Ques. (Mr. Foster) 2142 (ii).
——— Revenue, &c.: Ques. (Mr. R. Smith) 385 (i).
See 'Finance.'
Appeals from Ry. Commission: *See* 'B. No. 3.'
Apples grown in Quebec Prov.: Remarks (Mr. Fisher) 5635 (iii).
Arcand, T., Dismissal as Lightkeeper at Carousel: Ques. (Mr. Girard) 2288 (ii).
Archives: in Com. of Sup., 7284 (iv).
——— Protection *re* Fire: Ques. (Mr. Paquet) 1019 (i).
Arctic Expedition Tablet, Authority for placing in H. of C.: Ques. (Mr. Jameson) 1596 (i).
———Corrected Answer (Mr. Pugsley) 1730 (i).
'Arctic' Str., Official Rep. *re* Cruise: Ques. (Mr. Jameson) 1014 (i).
Arichat Wharf: in Com. of Sup., 977 (i).
Armouries, Drill Halls, Construction, Conribution *re* Cost: M. for Ret.* (Mr. Worthington) 2149 (ii).
Armouries and Drill Halls: Inquiry for Ret. (Mr. Edwards) 5689 (iii), 8742 (v)
See 'Militia,' 'Drill Halls.'
Armouries and Drill Halls, Man., Location, &c.: Ques. (Mr. Roche) 788 (i).
Armoury Grants: in Com. of Sup., 8571 (v).
Arms, &c., for Militia: in Com. of Sup., 8556 (v).
Armstrong, Dr., Emplymt. by Govt.: Ques. (Mr. W. H. Sharpe) 443 (i).
Army Service Corps, Charges *re* two Officers, &c.: Ques. (Mr. Worthington) 2288 (ii).
See 'Militia.'
Arrow Lake Telephone System: Remarks (Mr. Goodeve) in Com. of Sup., 5614 (iii).
Arthabaska 'Gazette' Declarations, &c., *re* Franking Privileges: M. for Copies* (Mr. Lavergne) 2149 (ii).
Arthabaska Public Building: in Com. of Sup., 661 (i).
Artillery Horses, Purchased for Petawawa Camp, Govt. Policy: Ques. (Mr. Monk) 786 (i).
See 'Militia.'
Artillery Re-armament, Reasons for: Ques (Mr. J. A. Currie) 1371 (i).
Ash Wednesday Adjournment: M. (Sir Wilfrid Laurier) 3057 (ii).
Assault: *See* 'B. No. 71.'
Assay Office, Vancouver, Maintenance, &c.: in Com. of Sup., 7769 (v).
Assiniboine River Improvements: Remarks (Mr. Staples) in Com. of Sup., 4259 (iii).
Associated Press Despatches rrom England Subsidy: *See* 'B. No. 228.'

Astronomical Observatory: in Com. of Sup., 536 (i).
——— Additional Buildings, Dr. King's Residence: in Com. of Sup., 416 (i).
Athabasca River Channel, Removing Boulders, &c.: in Com. of Sup., 4272 (iii).
Athalmer Wharf, B.C.: in Com. of Sup., 4276 (iii).
Atlantic Fisheries, Amount of Expenditure *re*: M. for Ret.* (Mr. Jameson) 1976 (ii).
Atlantic Ports to Australia SS. Subvention: in Com. of Sup., 8811 (v).
Auctil, J. Napoleon, Emplymt. by Govt.: Ques. (Mr. Paquet) 1193 (i).
Aud. Gen.'s Report, Delay in bringing down: Remarks (Mr. Geo. Taylor) 8856 (v).
——— Vols. I. and III: Presented (Mr. Fielding) 7 (i).
——— Vol. II.: Presented (Mr. Fielding) 1730 (i).
——— Vol. II: Inquiry for (Mr. R. L. Borden) 1445 (i).
Aud. Gen.'s Office, Salaries: in Com. of Sup., 7768 (v).
Automobiles injuring People: *See* 'B. No. 13.'
Automobiles, Use of: *See* 'B. No. 75.'
Aylmer Post Office, Addition: in Com. of Sup., 661 (i).
Aylmer Wharf, Lake Deschenes: in Com. of Sup., 3862 (ii).
Baby Farm, Sale by Militia Dept.: *See* 'B. No. 181.'
See 'Militia.'
Baie St. Paul, Loss of Title of Lot 73: Ques. (Mr. Staples) 1017 (i).
Bait Freezers, Date of Govt. Assistance, Number erected, &c.: Ques. (Mr. Jameson) 1593 (i).
Bait Freezers at Inverness, Total Cost: Ques. (Mr. Rhodes) 4310 (iii).
Bait Supply in Bay of Fundy, Complaints *re*: Ques. (Mr. Jameson) 1965 (ii).
Bamfield Wharf Extension: in Com. of Sup., 4276 (iii).
Bank Act Amt.: *See* 'B. Nos. 18, 56, 57.'
Banking Act, Consideration of: Remarks (Mr. Emmerson) 6947 (iv).
——— Remarks (Mr. Foster) 3479 (ii), 4307 (iii).
Banking Act, Expiration of, &c.: Ques. (Mr. Beattie) 2950 (ii).
——— Inquiry for (Mr. R. L. Borden) 2061 (ii).
Bank Bills: *See* 'Currency.'
Bank Deposits in 1909: Ques. (Mr. Burrell) 5001 (iii).
Bank Shareholders List: Ques. (Mr. Henderson) 4846 (iii).
Barge, W. R., Application *re* Licenses, Extension of Time, &c.: Ques. (Mr. J. D. Taylor) 5002 (iii).
Barr, Dr., M.P., Decease of: Remarks (Sir Wilfrid Laurier) 201 (i).
——— Remarks (Mr. Lewis) 380 (i).
Barrie and Allandale Letter Rate, Res. *re* Ques. (Mr. Lennox) 169 (i).
Barriefield Camp, Objections to Site, Removal of Ranges, &c.: Ques. (Mr. M. Currie) 3934 (ii).
Barthelmes, Alexander Augustus, Relief of: *See* 'B. No. 162.'
Bass River and Little Dyke Lights, Supplies, Cost, &c.: Ques. (Mr. Stanfield) 2426 (ii).
Bathurst Dredging: Remarks (Mr. Crocket) in Com. of Sup., 4798 (iii).
See 'Gaspereaux,' 'Loggie,' &c.
Bathurst Harbour Improvements: in Com. of Sup., 8817 (v).
Bathurst Pubic Building: in Com. of Sup., 580 (i).
Battlefields at Quebec: *See* 'B. No. 188.'
Bay of Quinté Ry. Co.: *See* 'B. No. 139.'
Bay St. Lawrence Lightkeeper, Complaints *re*: Ques. (Mr. Blain) 4311 (iii).
Bayside Wharf: in Com. of Sup., 2697 (ii).
Beauharnois Canal Bridges, Cor. with Celestin Pregent: M. for Copy (Mr. Monk) 2298 (ii).
Beauharnois Canal Leases, Arrears of Rentals, &c.: Ques. (Mr. Monk) 3732 (ii).
——— Lease to Messrs. McIntyre & Roberts, Payments, &c.: Ques. (Mr. Monk) 2141 (ii).
Beaumarais Wharf: Remarks (Mr. Wright) in Com. of Sup., 4254 (iii).
Becancour River Wharf: in Com. of Sup., 3865, 3875 (ii).
Becher, Chas. D. T., Issue of Homestead Patent: Ques. (Mr. Meighen) 7290 (iv).
Behring Sea Sealing Arbitration, Expenditure by British and Can. Govts.: Ques. (Mr. J. D. Taylor) 2716 (ii).
Belfast Pier, Renewals, &c.: in Com. of Sup., 2693 (ii).
Bellechasse Controverted Election, Petition: Announcement (Mr. Speaker) 3476 (ii).
Belle River Harbour, Repairs, &c.: in Com. of Sup., 2693 (ii).
Belleville and North Hastings Ry., Grievance *re* Operation by G. T. Ry., Remedy, &c.: Ques. (Mr. Northrup) 102 (i).
See 'B. No. 5.'
Beresford Subway, I. C. R.: in Com. of Sup., 2872 (ii).
'Bessemer No. 2,' Str., Wreck of on Lake Erie, Negligence re Signals (Mr. Macdonell) 1597 (i).
——— Stmnt. read (Mr. Brodeur) 1684 (i).
See 'Marine.'

Bic Harbour Wharf: in Com. of Sup., 3870 (ii).

Bills of Lading on Ships: *See* 'B. No. 25.'

Bills, Royal Assent. Com. from Gov. Gen.'s Sec.: Read (Mr. Speaker) 922 (i); 5628 (iii); 6606 (iv).

Bills from Senate, Numbering, &c.: Remarks (Mr. Lennox) 6177 (iv).

BILLS:

Bill (No. 1) Respecting the Administration of Oaths of Office.—(Sir Wilfrid Laurier).
1°*, 3 (i).

Bill (No. 2) To amend the Railway Act,—(Mr. Lancaster).
1°, 93; 2°, 413, 448 (i).

Bill (No. 3) To amend the Railway Act.—(Mr. Lancaster).
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°*, 3181 (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.'
Bourgeois, Mr. B., Emplymt. by N. T. Ry., Investigation *re* Dismissal: Ques. (Mr. Lennox) 3166, 3676 (ii).
Bout de L'Ile Bridge, Repairs to: Remarks (Mr. Seguin) 6394 (iv).
Bow River Coal Lands, &c.: M. for Cor.* (Mr. Northrup) 3170 (ii).
Boy Scouts, Visit to Canada, Information *re*: Remarks (Mr. Hughes) 3057 (ii).
Branch Lines on I. C. R., Requirement of: *See* 'B. No. 17.'
Brandon City, Land purchased from Govt., Title, &c.: Ques. (Mr. Staples) 6182 (iv).
—— Drill Hall, Total Cost: Ques. (Mr. Worthington) 1776 (i).
Brandon Land Agencies, Number employed, Absence, &c.: Ques. (Mr. Lake) 2950 (ii).
Brandon, Saskatchewan and Hudson's Bay Ry. Co.: *See* 'B. No. 213.'
Brantford Telephone Memorial: in Com. of Sup., 6161 (iv).
Breen's Pond Breakwater: in Com. of Sup., 977 (ii).
Bridge Strengthening, I. C. R.: in Com. of Sup., 2872 (ii).
Bridges, Wharfs, &c., Generally: in Com. of Sup., 3392 (ii).
See 'Public Works.'
B. C., Claim *re* Fisheries Collections: in Com. of Sup., 8552 (v).
—— Expenditure by Govt. on Public Works, Discrimination *re*: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4219, 4281 (iii).
—— Judicial Appointments, Delays, &c., on M. to adjn: Remarks (Mr. R. L. Borden) 5 (i).
—— Reply to Mr. Borden (Mr. Aylesworth) 11 (i).
—— Remarks (Mr. Borden) in Com. of Sup., 531 (i).
See 'Judicial.'
B. C. Lighthouses, Number, Reduction of Salaries, &c.: Ques. (Mr. R. Smith) 384 (i).
—— M. for Ret.* (Mr. R. Smith) 643 (i).
B. C. Lt. Governorship, Recommendations from Liberal Organizations *re* F. C. Wade, K.C.: Ques. (Mr. J. D. Taylor) 382 (i).
—— Remarks on M. for Sup. (Mr. J. D. Taylor) 523 (i).
B. C. Ry. Belt, Claims *re* Streams, &c.: Ques. (Mr. J. D. Taylor) 2951 (ii).
B.C. Ry. Belt, Water Powers: *See* 'B. No. 187'.
B. C. Ry. Subsidies, Particulars *re*: Ques. (Mr. Barnard) 5929 (iii).
British North America Mining Co.: *See* 'B. No. 27.'
British Northwestern Fire Ins. Co.: *See* 'B. No. 216.'
Britton, Hon. Mr. Justice, and National Trust Co.: Ques. (Mr. Crosby) 6799 (iv).
Brockville Dock: in Com. of Sup., 3455 (ii).
Brooklyn Breakwater: in Com. of Sup., 978 (i).
Brown, Hon. George, Monument: in Com. of Sup., 6158 (iv).
Brownlee, James Thornton: *See* 'B. No. 202.'
Bruce Mines and Algoma Ry. Co.'s Subsidies, Applications *re* Renewals: Ques. (Mr. Boyce) 3735 (ii).
Brudenell Wharf: in Com. of Sup., 2693 (ii).
Brule Wharf: in Com. of Sup., 979 (i).
Buctouche Channel Breakwater: in Com. of Sup., 2697 (ii).
Buctouche Ry. and Transportation Co.: *See* 'B. No. 215.'
Budget, The—Financial Statement (Mr. Fielding) 1446 (i).
—— Debate: (Mr. Fielding) 1446; (Mr. Foster) 1474; (Mr. Miller) 1507; (Mr. Sproule) 1601; (Mr. Fowke) 1613; (Mr. Staples) remarks, 1616; (Mr. Thoburn) remarks, 1621; (Mr. W. F. Maclean) 1626; (Mr. Stratton) 1636; (Mr. McCall) 1655; (Mr. W. M. Martin) 1662; (Mr. Barnard) 1673; (Mr. E. Roy) 1678; (Mr. Sinclair) 1690; (Mr. J. A. Currie) 1701; (Mr. Schell) 1804; (Mr. Lake) 1828, (Mr. Rivet) 1842; (Mr. T. Chisholm) 1858; (Mr. Low) 1864; (Mr. Sexsmith) 1868; (Mr. M. Clark) 1880; (Mr. Crothers) 1894; (Mr. Congdon) 1903; (Mr. Magrath) 1920; (Mr. E. Paquet) 1929; (Mr. J. P. Turcotte) 1935; (Mr. Arthurs) 1946; (Mr. Thornton) 1949; (Mr. W. H. Sharpe) 1952 (i); (Mr. Paterson) 2061; (Mr. Sproule) 2065; (Mr. Burrell) 2067; (Mr. J. Haggart) 2067; (Mr. Wallace) 2069; (Mr. Hughes) 2069; A. Currie) 2076; (Mr. Lalor) 2079; (Mr. Armstrong) 2080; (Mr. R. L. Borden) 2081; Ques of Order, 2085; (Mr. Speaker) Ruling, 2084; (Mr. Foster) 2082; (Mr. Boyce) 2093, 2102; (Mr. Turriff) 2127; (Mr. Wilcox) 2163; (Mr. Loggie) 2178, 2215, 2222; (Mr. Geo. Taylor) 2218; (Mr. Edwards) 2227; (Speaker, Dep.) Ques. of Order, 2229; (Mr. Owen) 2246; (Mr. Nesbitt) 2246; (Mr. Campbell) 2259; (Mr. Speaker, Dep.) Ques. of Order, 2267; (Mr. Robert Smith) 2269 (ii).
—— Remarks (Mr. Fielding) 1002 (i).
Buildings, Mar. Provs., Repairs, &c.: in Com. of Sup., 596 (i).
—— Que., Renewals, &c.: in Com. of Sup., 662 (i).
See 'Public Works.'
Buoys on Lake St. John, Annual Payments: Ques. (Mr. Girard) 7870 (v).
See 'Lake St. Peter.'

Buoy Steamers: in Com. of Sup., 8528 (v).
Burk's Falls Wharfage Dues, Amount for 1907-9: Ques. (Mr. Arthurs) 7872 (v).
Burk's Head Breakwater: in Com. of Sup., 979 (i).
Burlington Channel Piers: in Com. of Sup., 3456 (ii).
—— Remarks (Mr. Henderson) in Com. of Sup., 3854 (ii).
Burlington Customs Collector, Outside Employment, &c.: Ques. (Mr. Lake) 5001 (iii).
Burrard Inlet Tunnel and Bridge Co.: *See* 'B. No. 118.'
Business of the Hse., Delays, &c.: Remarks (Mr. Monk) 118 (i).
Buttonshaw, George Robert, Relief of: *See* 'B. No. 117.'
Byng Inlet Improvements: in Com. of Sup., 3459 (ii).
Cabano Landing Pier: in Com. of Sup., 3878 (ii).
Cable Co.'s Rates: *See* 'B. No. 104 and 234.'
Cable Cos. and Ry. Commission: *See* 'B. No. 104.'
Calgary and Edmonton Ry. Co.: *See* 'B. No. 89.'
Calgary and Fernie Ry. Co.: *See* 'B. No. 168.'
Camborne Postmaster, B.C., Pet. *re* Apptmt.: Ques. (Mr. Goodeve) 1016 (i).
—— Remarks (Mr. Goodeve) 2713 (ii).
Campbellford, Lake Ontario and Western Ry. Co.: *See* 'B. No. 28.'
Campbellford Post Office: Remarks (Mr Owen) in Com. of Sup., 930 (i).
Campbell River Wharf Improvements: in Com. of Sup., 4276 (iii).
Campbellton Deep Water Wharf: in Com. of Sup., 2703 (ii).
Canada and Australia SS. Subvention: in Com. of Sup., 8808 (v).
Canada and Cuba Mail Subsidy: in Com. of Sup., 5692 (iii), 8810 (v).
Canada Gazette, French Edition: Remarks (Mr. Gervais) 8585 (v).
Canada and Germany, Total Value of Exports, Imports, &c.: Ques. (Mr. Lalor) 633 (i).
See 'Germany.'
Canada and G. B. SS. Subvention: in Com. of Sup., 8808 (v).
Canada and Mexico Mail Subsidy: in Com. of Sup., 5690 (iii), 8809 (v).
Canadian Fisheries Commissions, Number since 1896, &c.: Ques. (Mr. Jameson) 1198 (i).
Canadian Fisheries Exhibit: in Com. of Sup., 8544 (v).
Can. Handicrafts Guild: in Com. of Sup., 7866 (v).
Canadians appointed in Permanent Forces, Proportion, &c.: Ques. (Mr. Worthington) 5498 (iii).
Canadian Artillery, 5th Regiment, Complaints *re* Armouries at Esquimalt, &c.: Ques. (Mr. Barnard) 2145 (ii).
Can. Associated Press: *See* 'B. No. 228.'
Canadian Attache at Washington: Prop. Res. (Mr. Lewis) 1582 (i).
—— Remarks (Mr. Lewis) 4708 (iii).
Canadian Coinage, Amount for ten years, Cost, Profit, &c.: Ques. (Mr. Foster) 1967 (ii).
Canadian Coinage, Amount of U. S. Silver, &c.: M. for Ret.* (Mr. Foster) 2150 (ii).
See 'Currency.'
Canadians entering U. S., Action of U. S. Immigration Agents: Par. in Ottawa 'Citizen' (Mr. Schaffner) 1101 (i).
Canadian Exhibit in London: in Com. of Sup., 7380 (iv).
Canadian Flag: *See* 'Flags.'
Canadian Inland Marine, Number of Vessels, Dry Dock Aid, &c.: Ques. (Mr. Middlebro) 7514 (iv).
Canadian Militia Officers, Dismissal, &c., Cor. *re* Courts of Inquiry, &c.: M. for Copy* (Mr. Worthington) 5501 (iii).
See 'de la Ronde.'
Canadian Navy, Number of Applications *re* Positions, &c.: Ques. (Mr. Foster) 2717 (ii).
—— Pets. to Govt. and Parliament *re*: Ques. (Mr. Monk) 5782 (iii).
—— Purchase, by Govt. of Vessels, O.C's. &c.: Ques. (Mr. Monk) 2930 (ii).
—— Names of Cruisers, &c., purchased, description, &c.: Ques. (Mr. Boyce) 3931 (ii).
See 'Naval,' &c.
Canadian Navy Shipbuilding, Tenders *re* Great Lake Shipyards and Rush-Bagot Treaty: Ques. (Mr. J. A. Currie) 844 (i).
Can. Northern Alberta Ry. Co., Subsidy: *See* 'B. No. 227.'
Canadian Northern Ontario Ry. Co.: *See* 'B. No. 106.'
Can. Northern Ry. Co.: *See* 'B. No. 61.'
Canadian Northern Railway, Claims *re* Right of Way: Remarks (Mr. J. P. Turcotte) on M. for Sup., 8782 (v).
—— Control of other Ry. Cos., Subsidies, &c.: Ques. (Mr. R. Smith) 1207 (i).
—— Subsidies *re* Main and Branch Lines, &c.: M. for Ret.* (Mr. R. Smith) 2298 (ii).
C.P.R. Co.: *See* 'B. No. 96.'
C.P.R., Teulon Branch Extension, Govt. Approval: Ques. (Mr. Bradbury) 1974 (ii).
Can. Shipping Act Amt.: *See* 'B. Nos. 15, 74, 77.'
Can. Temperance Act Amt.: *See* 'B. No. 209.'
CANALS.
Beauharnois Canal Bridges, Cor. with Celestin Pregent: M. for copy (Mr. Monk) 2298 (ii).

CANALS—*Con.*

Beauharnois Canal, Lease to Messrs. McIntyre & Robert, Payments, &c.: Ques. (Mr. Monk) 2141 (ii).

——— Arrears of Rentals, &c.: Ques. (Mr. Monk) 3732 (ii).

Canals, Arbitrations and Awards: in Com. of Sup., 3127 (ii).

Canal Statistics Report: Presented (Mr. Graham) 5759 (iii).

Chambly Canal, Canton Wharf: in Com. of Sup., 3122 (ii).

——— Godin, Dr. Arsene, Payment *re* Damages, &c.: Ques. (Mr. Blondin) 2486 (ii).

Cornwall Canal, Bank Repairs: in Com. of Sup., 3123 (ii).

——— Extension of Concrete Wall: in Com. of Sup., 3123 (ii).

——— Lock 17, Entrance: in Com. of Sup., 3123 (ii).

——— Removing High Spots: in Com. of Sup., 3123 (ii).

Galops Canals, Concrete Piers: in Com. of Sup., 3124 (ii).

Georgian Bay Canals, O.C.'s, &c. *re* Construction: M. for Copies (Mr. G. V. White) 3495 (ii).

Hungry Bay Dyke, Macadamizing Roads: in Com. of Sup., 3122, 3123 (ii).

Lachine Canal, Amount of Work *re* Repairs under Denis O'Brien: Ques. (Mr. Verville) 1964 (ii).

——— Basins and Wharfs: in Com. of Sup., 3103 (ii).

——— Carpenter Shop, Estimated Expenditure: Ques. (Mr. Verville) 627 (i).

——— Carpenter Shop, Number and Names of Employees, Dismissals, &c. Ques. (Mr. Verville) 1006 (i).

——— Concrete Vertical Walls: in Com. of Sup., 3103 (ii).

——— Dismissals by Denis O'Brien, Promotions, &c.: Ques. (Mr. Verville) 1367 (i).

——— Dismissals, &c. by Denis O'Brien, Pay Sheets, &c.: M. for Copies (Mr. Verville) 1547 (i).

——— Douglas Fir, Quantity supplied, &c.: Ques. (Mr. Verville) 1368 (i).

——— Electric Machinery at Mill St. Station, Damages to, &c.: Ques. (Mr. Verville) 5103 (iii).

——— Evers, T., Emplymt. as Electrician: Ques. (Mr. Verville) 2428, 2927 (ii).

——— Labourers, Names of those paid out of vote of $3,100: Ques. (Mr. Verville) 2428 (ii).

Lake St. Francis Protection Wall: in Com. of Sup., 3123 (ii).

CANALS—*Con*

New York Canals, Use by Canadian Vessels, Authority for: Ques. (Mr. Perley) 4128 (iii).

——— Remarks (Mr. Perley) on M. for Sup., 5202 (iii).

——— Letter from Supt. F. C. Stevens: Read (Mr. Perley) 5625 (iii).

Quebec Canals, Macadamizing Roads: in Com. of Sup., 3122 (ii).

Sault Ste. Marie Canal Construction: in Com. of Sup., 3106 (ii).

——— Iron Mooring Posts: in Com. of Sup., 3124 (ii).

Soulanges Canal, Purchase of Tool Grinders: in Com. of Sup., 3105 (ii).

——— Slope Trimming, &c.: in Com. of Sup. 3105 (ii).

Trent Canal, Bradford Channel, Surveys, &c.: Ques. (Mr. Lennox) 384 (i).

Trent Canal, Clarry, L. F., Charges *re*: Remarks (Mr. Lennox) 4714, 5209 (iii), 6096 (iv).

——— Total Amount of Account with Ry. Dept.: Ques. (Mr. Lennox) 5781 (iii).

——— Instructions, Payments, &c. as Agent *re* Trent Canal Lands: Ques. (Mr. Lennox) 6391 (iv).

——— Payments to re Trent Canal Floods: Ques. (Mr. Lennox) 7516 (v).

Trent Canal, Construction: in Com. of Sup., 3106 (ii).

——— Damages to Property: in Com. of Sup., 3120 (ii).

——— Expenditure on Sections 1, 2, 3, 5 and 7, &c.: Ques. (Mr. Owen) 446 (i).

——— Fenelon Falls Dry Dock, Construction of: Ques. (Mr. Hughes) 1207 (i).

——— Floods in twp. of Asphodel, Payment of Damages, Names, &c.: Ques. (Mr. Lennox) 3733 (ii).

——— Holland River Channel, Devil's Elbow to Bradford Station, Pet. *re* Ques. (Mr. Lennox) 170, 626 (i).

——— Corrected Answer (Mr. Graham) 1099 (ii).

Trent Canal, Improvements: in Com. of Sup., 3126 (ii).

Trent Canal—Newmarket: M. (Mr. Campbell) to reduce vote, Neg. (Y. 46; N. 91) 5604 (iii).

——— Estimated Cost for 1909, Expenditure, &c.: Ques. (Mr. Wallace) 98 (i).

——— Expenditure: in Com. of Sup., 3106 (ii).

Trent Canal, Scugog Lake, Lands flooded, Ownership of: Ques. (Mr. Thornton) 2187 (ii).

CANALS—*Con.*

Trent Canal, Survey, Rep. *re* Kempenfeldt Bay, &c.: Ques. (Mr. Lennox) 169 (i).

——— Water Powers, Control by Govt.: Ques. (Mr. Arthurs) 2185 (ii).

Welland Canal, Expenditure re Surveys, &c. (Mr. Foster) 1968 (ii).

——— Land Purchases, &c.: in Com. of Sup., 3120 (ii).

Welland Canal, Port Colborne Elevators, Expenditure *re* Ry.: Ques. (Mr. Foster) 3295 (ii).

——— Officials: Stmnt. (Mr. Graham) in Com. of Sup., 3121 (ii).

———Right of Way. &c.: Ques. (Mr. Foster) 8661 (v).

Welland Canal, Port Colborne Improvements: in Com. of Sup., 8821 (v).

Welland Canal, Route through Lot 50, Purchase of Land, &c.: Ques. (Mr. Staples) 8660 (v).

——— Surveys *re* New Canal: in Com. of Sup., 8821 (v).

Canning Wharf, Total Cost, Apptmt. of Wharfinger, &c.: Ques. (Mr. Geo. Taylor) 1969 (ii).

Cap à l'Aigle Wharf Repairs: in Com. of Sup., 3881 (ii).

Cape Bald Breakwater Pier: in Com. of Sup., 2704 (ii).

Cape de Chatte Training Pier: in Com. of Sup., 3888 (ii).

Cape Tormentine Breakwater: in Com. of Sup., 2706 (ii).

Capital Cases, Action of Crown: Explanation (Mr. Aylesworth) 2712 (ii).

Capital Offences: *See* 'B. Nos. 14, 71.'

Cargo Inspections, Names of Ports, Results, &c.: Ques. (Mr. Beland) 642 (i).

Cariboo Causeway, N.S., Expenditure *re*: M. for Papers* (Mr. Stanfield) 3495 (ii).

Cariboo-Chilcoten Telegraph Construction: Remarks (Mr. Burrell) in Com. of Sup., 6157 (iv).

Carleton Wharf: in Com. of Sup., 3885 (ii).

Carman Public Building: Remarks (Mr. Staples) in Com. of Sup., 8182 (v).

Cartwright, Sir Richard, Terms of Lease of Land, Timber, &c.: Ques. (Mr. Edwards) 2717 (ii).

See 'Frontenac.'

Catholic Episcopal Corporation of Temiskaming: *See* 'B. No. 170.'

Cattle Guards on Rys.: *See* 'B. No. 53.'

Cattle Inspection on Ships: in Com. of Sup., 8519 (v).

Cattle Quarantine Stations: in Com. of Sup., 8193 (v).

Chambers of Commerce, P.Q., Federation: *See* 'B. No. 220.'

Chambly Canal, Canton Wharf: in Com. of Sup., 3122 (ii).

See 'Canals.'

Chambly River Dam and Fishing Rights: Remarks (Mr. Gervais) in Com. of Sup., 8538 (v).

Chambord Customs Office, Discontinuance of: Ques. (Mr. Girard) 4515 (iii).

Champlain Monument: Remarks (Mr. Hughes) in Com. of Sup., 7511 (v).

Chance Harbour Landing Pier: in Com. of Sup., 2706 (ii).

Chapeau Bridge, Culbute Canal, Ottawa River: in Com. of Sup., 6150 (iv).

Chapel Cove Breakwater: in Com. of Sup., 985 (i).

Charleston or Kelmont P. O., Pets. *re* Establishing: M. for Copies* (Mr. Staples) 2150 (ii).

——— Inquiry for Ret., 3682 (ii).

Charlottetown, Drill Hall: in Com. of Sup., 580 (i).

——— Increased Ry. Accommodation: in Com. of Sup., 3065 (ii).

Chartered Banks gone into Liquidation since 1888, &c.: Motion for Ret.* (Mr. Foster) 3170 (ii).

——— Shareholders: Report presented (Sir Wilfrid Laurier) 5759 (iii).

See 'Finance.'

Chateauguay Wharf: in Com. of Sup., 3883 (ii)

Chatham, Diversion of I.C.R. Line to Wharf: in Com. of Sup., 2874 (ii).

Chaudiere Junction, I. C. R. Signals, &c.: in Com. of Sup., 2873 (ii).

Chesley Public Building: in Com. of Sup., 7173 (iv).

Chevalier, Dr. E. N., Resignation, Pension, &c. (Mr. Monk) 636 (i).

Chicoutimi Harbour Improvements: in Com. of Sup., 3886 (ii).

Chicoutimi Public Building, Ground Improvement: in Com. of Sup., 661 (i).

Chief Justices, Apptmt. of by Govt: Ques. of Priv. (Mr. Crothers) 7293 (iv).

Chilliwack Public Building: in Com. of Sup., 8190 (v).

Chilliwack River Improvements: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4298 (iii).

Chinamen, Number paying Capitation Tax. Ques. (Mr. Burrell) 7870 (v).

China Point Pier: in Com. of Sup., 2694 (ii).

Chinese Immigration Act: in Com. of Sup., 8810 (v).

Christian Island Wharf: in Com. of Sup., 3467 (ii).

'Christine,' Str., Purchase of, Rate of Speed, &c.: Ques. (Mr. Jameson) 1201 (i).

Christmas Adjournment: M. (Sir Wilfrid Laurier) 923, 1298 (i).
Chu-chu-way-ha Reserve, Instructions to Capt. Jemmet: Ques. (Mr. Burrell) 5499 (iii).
—— Original Field Notes: M. for Papers* (Mr. Burrell) 4315 (iii).
Cement Merger: *See* 'Combines Bill 101.'
Cement Merger, Complaints *re* Illegal Combination, &c.: Ques. (Mr. S. Sharpe) 2296 (ii).
—— Protection *re* Combine: Ques. (Mr. Bradbury) 106 (i).
Cement Trust: *See* 'B. No. 101.'
Census: *See* 'B. No. 205.'
Census, Decennial, Date of taking: Ques. (Mr Boyer) 1371 (i).
—— Estimated Cost, &c.: Ques. (Mr. Armstrong) 2429 (ii).
Census and Statistics: in Com. of Sup., 7373, 7763 (v).
Central Canada Manufacturers' Mutual Fire Insurance Co.: *See* 'B. No. 123.'
Central Economy Wharf: in Com. of Sup., 985 (i).
Central Ontario Ry. Co.: *See* 'B. No. 90.'
Central Park Post Office, Action *re* Pet.: Remarks (Mr. J. D. Taylor) in Com. of Sup., 6701 (iv).
—— Change of Location, &c.: M. for Cor.* (Mr. J. D. Taylor) 3169 (ii).
—— Date of Discontinuance, Pets. *re*: Ques. (Mr. J. D. Taylor) 2293 (ii).
—— Pets. *re* Closing: Ques. (Mr. J. D. Taylor) 2188 (ii).
Centreville Harbour Improvements: in Com. of Sup., 8817 (v).
—— Wharf Repairs: Remarks (Mr. Jameson) 978 (i).
Certificates to Masters and Mates: *See* 'B. No. 77.'
Cigarettes, Number manufactured and imported, &c.: Ques. (Mr. Blain) 631 (i).
Cirkle, Mr. Fritz, Emplymt. in Dept. of Mines, Investigation, &c.: Ques. (Mr. Stratton) 5497 (iii).
—— Unprofessional Conduct, Charges *re*: M. for Cor.* (Mr. R. Smith) 5592 (iii).
Civil Employees, Salaries *re* Militia: in Com. of Sup., 8573 (v).
Civil Engineers: *See* 'Engineers,' &c.
Civil Govt. Expenditures, Increases of: Remarks on M. for Sup. (Mr. Foster) 212 (i).
See 'Supply.'
Civil Servants, in Outside Service, Increase of Salaries: Ques. (Mr. Rivet) 845 (i).
Civil Service Act (garnisheeing of wages) Amt.: *See* 'B. No. 175.'
Civil Service Act (salaries) Amt.: *See* 'B. No. 205.'
Civil Service Amt Amt. Bill: Ques. of Priv. (Mr. Beauparlant) 7066 (iv).
Civil Service Apptmts., Number of passing Examinations, &c.: Ques. (Mr. Hughes) 2256 (ii).
—— Apptmts. under C. S. Act, Temporary, &c.: M. for Ret.* (Mr. Hughes) 3170 (ii).
Civil Service Employees, Number in 1909, Total Cost: M. for Ret.* (Mr. Foster) 4315 (iii).
Civil Service List: Presented (Mr. Murphy) 1730 (i).
Civil Service, Outside, Legislation *re* Reorganization: Remarks (Mr. Middlebro) 6917 (iv).
Claims Adjudication Treaty Ratification: Remarks (Mr. Boyce) 5278 (iii).
Claims against Govt. Rys., Adjudication: *See* 'B. No. 151.'
Clarry, L. F., Charges *re* Claims for Damages on Trent Canal: Remarks (Mr. Lennox) 5209 (iii), 6391 (iv), 7516 (v).
—— Total Amount of Account with Ry. Dept.: Ques. (Mr. Lennox) 5781 (iii).
See 'Canals—Trent.'
Clear Lake, Application to raise Water Level, &c.: M. for Cor.* (Mr. Roche) 3495 (ii).
Coal Importations from U. S. from 1905 to 1909: Ques. (Mr. G. V. White) 842 (i).
Coal Lands alienated from the Crown, Total Acreage, &c.: Ques. (Mr. Campbell) 5000 (iii).
Coal Oil Lands, Acres sold, Leased, Names, &c.: M. for Ret.* (Mr. Foster) 277 (i).
Coal Oil: *See* 'Petroleum.'
Coal, Timber and Indian Lands in Alberta, &c.. Revenue *re* Royalties, &c.: M. for Ret.* (Mr. McCarthy) 414 (i).
Coal and Timber Lands alienated from the Crown, Total Acreage: Ques. (Mr. Campbell) 5560 (iii).
Coal Supply to Lighthouse Keepers in N.S.: Remarks (Mr. R. L. Borden) 8585 (v).
See 'Lightkeepers.'
Cobourg Harbour Improvements, Expenditure *re*: Ques. (Mr. Thornton) 1372 (i).
Coins, Minting of: *See* 'B. No. 195.'
Coins, Uncurrent and Foreign, Removal from Circulation: in Com. of Sup., 5607 (iii).
See 'Can. Coins.'
Cold Storage for Bait, &c.: in Com. of Sup., 8545 (v).
Cold Storage for Fruit: in Com. of Sup., 7383 (iv).
Cold Storage Plant, Barrington, N.S., Application *re* Subsidy: Ques. (Mr. Jameson) 1972 (ii).
Cold Storage Warehouses for Food Products. in Com. of Sup., 7362 (iv).
Collingwood Harbour Dock Improvements: in Com. of Sup., 3467 (ii).

Columbia and Western Ry. Co.: *See* 'B. No. 29.'
Columbia River Improvements: in Com. of Sup., 4277 (iii).
—— Remarks (Mr. Goodeve) in Com. of Sup., 4718 (iii).
Combinations in Restraint of Trade: Legislation *re*: Remarks (Mr. Sproule) 1363 (i).
Combines, Investigation: *See* 'B. No. 101.'
Combines Bill: Personal Explanation (Mr. King) *re* Speech, 7188 (iv).
Commercial Agencies: in Com. of Sup., 8810 (v).
Commissions appointed by Govt. since 1896, Expenditure *re*: M. for Ret. (Mr. Foster) 1977 (ii).
Committee, Sel. Standing: M. (Sir Wilfrid Laurier) 5, 22 (i).
—— Lists: Presented(Sir Wilfrid Laurier) 155 (i).
—— M. to add Names, 1001 (i).
Committee on Standing Orders: M. (Mr. McCraney) to conc. in 3rd Rep., 6605 (iv).
Company Promoters, Legislation *re* Protection to Public: Ques. (Mr. Lewis) 5104 (iii).
Compensation to Alberta and Sask. *re* Public Lands, &c.: Ques. (Mr. Lake) 3291 (ii).
Congregational Union of Canada: *See* 'B. No. 142.'
Conservation of Natural Resources: *See* 'B. Nos. 84, 115 and 185.'
Conservation Commission: in Com. of Sup., 7866 (v).
—— Meetings, &c.: Ques. (Mr. Armstrong) 1590 (i).
—— Names, Residence, &c.: Ques. (Mr. Jameson) 4845 (iii).
—— Regulations re Fisheries: Ques. (Mr. Jameson) 3486 (ii).
Conservation of Natural Resources, Consideration of Bill: Remarks (Mr. Armstrong) 6140 (iv).
Consuls of Foreign Countries, Official Status in Canada: Remarks (Mr. Lewis) 853 (i).
See 'Can. Attache.'
Contagious Diseases, Expenditure *re* Prevention, &c.: Ques. (Mr. Miller) 1378 (i).
Contrecoeur Wharf: in Com. of Sup., 3889 (ii).
Controverted Election Petitions, Certificate of Judges: Presented (Mr. Speaker) 1, 21 (i).
Controverted Elections, P.E.I., Certificate of Judges: Presented (Mr. Speaker) 256 (i).
Convicts in Penitentiaries, Segregation of: Prop. Res. (Mr. Monk) 142 (i).
Co-operative Credit Societies: *See* 'B. No. 26.'
Co-operative Societies B. 26, Consideration of: Remarks (Mr. Monk) 8205 (ii).
Co-operation: *See* 'B. No. 50.'
Copyright Act Amt.: *See* 'B. No. 41.'
Coquitlam River, Removal of Obstructions: in Com. of Sup., 4291 (iii).
Cornwall Canal, Bank Repairs: in Com. of Sup., 3123 (ii).
—— Extension of Concrete Wall: in Com. of Sup., 3123 (ii).
—— Lock 17, Entrance: in Com. of Sup., 3123 (ii).
—— Removing High Spots: in Com. of Sup., 3123 (ii).
'Cotton's Weekly,' Discrimination *re* Postage, &c.: Ques. (Mr. Herron) 4517 (iii).
—— Discrimination *re* Postage: Remarks (Mr. Herron) 5894 (iii).
—— Remarks (Mr. Lennox) in Com. of Sup., 5755 (iii).
—— Postal Regulations, P.M.G.'s Answers, Remarks (Mr. Sproule) 8818 (v).
Courtenay Bay, G. T. P. Terminals, Tenders *re* Dredging, &c.: Ques. (Mr. Daniel) 3156 (ii).
See 'G. T. P.' &c.
Courtenay Bay—Marsh Road: in Com. of Sup., 6150 (iv).
Cove Head Shear Dam: in Com. of Sup., 2694 (ii).
Creosoted Timber for Public Works: in Com. of Sup., 3452 (ii).
Criminal Code Amts.: *See* 'B. Nos. 6, 14, 41, 71, 75, 81, 85.'
Crosbie, Mr. W. F., Refund to *re* Purchase of School Lands: Ques. (Mr. W. H. Sharpe) 4616 (iii).
Crossings of Rys.: *See* 'B. No. 4, 145.'
Crown, Escheats to: *See* 'B. No. 206.'
Cullum, Wm., Apptmt. as Boiler Inspector: Ques. (Mr. Barnard) 1529 (i).
Cummings Cove, Deer Island Wharf: in Com. of Sup., 2706 (ii).
Currency Act Amt.: *See* 'B. No. 195.'
Currency, Dom., Issue of Clean Circulation. Ques. (Mr. Lewis) 8238 (v).
—— Remarks (Mr. Lewis) 7188 (iv).
Customs Act Amt.: *See* 'B. No. 138.'
Customs Act (reporting of vessels) Amt.: *See* 'B. No. 200.'
Customs Tariff Act Amt.: *See* 'B. No. 233.'
CUSTOMS.
Burlington Customs Collector, Outside Employment, &c.: Ques. (Mr. Lake) 5001 (iii).
Canada and Germany, Total Value of Exports, Imports, &c.: Ques. (Mr. Lalor) 633 (i).
Chambord Customs Office, Discontinuance of: Ques. (Mr. Girard) 4515 (iii).
Coal Importations from U. S. from 1905 to 1909: Ques. (Mr. G. V. White) 842 (i).

CUSTOMS—*Con.*

Customs, Deptl. Rep.: Presented (Mr. Paterson) 7 (i).

——— Deptl. Salaries: in Com. of Sup., 243 (i).

Customs and Excise Revenue for 1909-10, &c.: Ques. (Mr. Geo. Taylor) 8109 (v).

Customs Outside Ports, Salaries, &c.: in Com. of Sup., 1358 (i), 8803 (iv).

Incubators, Total Number imported from U.S., 1909: Ques. (Mr. G. V. White) 169 (i).

——— M. for Ret.*: (Mr. G. V. White) 414 (i).

Linotype Machines, Removal of Duty: Ques. (Mr. Blain) 6391 (iv).

McCormick Binders, Valuation *re* Importation into Canada: Ques. (Mr. Staples) 3491 (ii).

Machinery Steel, Quantities imported for 1907-8: Ques. (Mr. Rhodes) 1015 (i).

Mahone Customs Collector, Dismissal of: Ques. (Mr. R. L. Borden) 6507 (iv).

School Slates and Lead Pencils, Number imported, Valuations, &c.: Ques. (Mr. Macdonell) 6506 (iv).

Vitrified Sewer Pipe Imports, Duties collected, &c.: Ques. (Mr. Wallace) 3931 (ii).

Winnipeg Examining Warehouse: in Com. of Sup., 8184 (v).

Wool and Yarns, Quantity exported from 1900 to 1909: Ques. (Mr. Sexsmith) 1376 (i).

Yukon Territory, Goods admitted free of Duty, Value, &c.: Ques. (Mr. McCarthy) 3492 (ii).

Dairying and Fruit Industries, Transportation, &c.: in Com. of Sup., 7362 (iv).

Dale, Sydney J., Compensation: in Com. of Sup., 6167 (iv).

Dalhousie Harbour Breakwater: in Com. of Sup., 2707 (ii).

Dalhousie Dredging Contracts, Charges *re* Inspectors: Remarks (Mr. Crocket) in Com. of Sup., 1188 (i), 4790 (iii).

Dauphin Post Office, Date of Opening: Remarks (Mr. Campbell) 3136 (ii).

David's Cove Breakwater: in Com of Sup., 985 (i).

Daylight Saving: *See* 'B. No. 72.'

Debates, Official, 1st Rep. of Com.: Presented (Mr. Gervais) 514 (i).

——— 2nd Rep. of Com.: Presented (Mr. Gervais) 2424; M. to conc. (Mr. Gervais) 3052 (ii).

——— Translators, Apptmt. of: M. (Mr. Fielding) 3914 (ii).

Deep Brook Pile Wharf: in Com. of Sup., 986 (i).

Deep Waterways Commission: in Com. of Sup., 6163 (iv).

Deep Water Weirs in Charlotte, Number of Licenses issued: Ques. (Mr. Jameson) 1782 (i).

Delap's Cove Breakwater: in Com. of Sup., 986 (i).

Delaucette, Mr. A., Instructions *re* Prosecution: Ques. (Mr. Girard) 8678 (v).

de la Ronde, Major and Capt., Charges of Malfeasance in Army Service Corps: M. for Cor.* (Mr. Worthington) 414 (i).

——— Charges *re* Militia Frauds: Ques. (Mr. Worthington) 135 (i).

——— Rep. of Justice Dept.: Ques. (Mr. Worthington) 5500 (iii).

See 'Militia.'

Delisle Postmaster Alfred Gagné, Removal, &c.: Ques. (Mr. Girard) 4516 (iii).

Delorey's Beach Breakwater: in Com. of Sup., 986 (i).

De Mar, Edna Shibley, Relief of: *See* 'B. No. 223.'

Deptl. Buildings, Sussex St., Canadian Stone used in Construction: Ques. (Mr. Marshall) 5106 (iii).

See 'Public Works, Ottawa.'

Deschenes Lake Dredging Plant, Purchase of: Ques. (Mr. Geo. Taylor) 631 (i).

Devil's Island Breakwater Extension: in Com. of Sup., 986 (i).

Digby Armoury: Remarks (Mr. Jameson) in Com. of Sup., 8572 (v).

Digby Harbour, Piers: in Com. of Sup., 986 (i).

——— Dredging: Remarks (Mr. Jameson) in Com. of Sup., 4791 (iii).

Digby Public Building: in Com. of Sup., 573 (i).

Diligent River Harbour Breakwater: in Com. of Sup., 986 (i).

Dipper Harbour Breakwater: in Com. of Sup., 3391 (ii).

Disallowance of Ontario Legislation: Inquiry for Reps. (Mr. R. L. Borden) 7291 (iv), 7650 (v).

Distilleries, Extra Duty, Payments for: in Com. of Sup., 1331 (i).

Distribution Office, H. of C., Salary Increases: Presented (Mr. Speaker) 620 (i).

Divorce: *See* 'Bills, Nos. 117, 134, 140, 144, 147, 148, 149, 153, 157, 158, 162, 165, 179, 201, 202, 221, 222, 223, 224, 225.'

Dixon Post Office, Pet. *re* Removal: Ques. (Mr. Armstrong) 3293 (ii).

——— Remarks (Mr. Armstrong) in Com. of Sup., 7863 (v).

Dog Fish Reduction Plant: in Com. of Sup., 8545 (v).

——— Cost of Maintenance, Location, &c.: M. for Ret.* (Mr. R. L. Borden) 109 (i).

Dolbeau Postmaster, J. Tremblay, Removal, &c.: Ques. (Mr. Girard) 4516 (iii).
Dollar Bills: *See* 'B. No. 195.'
See 'Currency.'
Dominion Atlantic Ry. Co.: *See* 'B. No. 172.'
Dominion Bank: *See* 'B. No. 171.'
Dom. Coal Co. and Cumberland Coal Co.'s Strike, &c.: M. for Cor.* (Mr. Rhodes) 5501 (iii).
Dom. Dredging Co., Amounts paid by Govt. to: Ques. (Mr. Geo. Taylor) 849 (i).
Dominion Elections, Total Cost for 1908: Ques. (Mr. Owen) 2285 (ii).
Dominion Exhibition Grant: in Com. of Sup., 7384 (iv) .
Dom. Lands Act Amt.: *See* 'B. No. 94 and 143.'
Dom. Lands Act B. 94, Ruling *re* Ques. of Order (Mr. J. A. Currie) 1730 (i).
Dom. Lands Branch, Salaries: in Com. of Sup. 8488 (v).
Dom. Lands Offices, Alberta and Sask., Aggregate Revenues: Ques. (Mr. Lake) 3290 (ii).
Dom. Lands, Total Acreage of Arable Lands: Ques. (Mr. Macdonell) 2925 (ii).
See 'Half Sections,' 'Homesteads,' 'Interior,' 'N. E. Section.'
Dom. Millers' Association: *See* 'B. No. 111.'
Dom. Police sent to Thunder Bay, Rainy River &c. during Election 1909: Ques. (Mr. Smyth) 1007 (i).
Dominion Traffic Bridges: in Com. of Sup., 6152 (iv).
Dorchester Wharf: in Com. of Sup., 3391 (ii).
Doucet's Landing Pile Wharf: in Com. of Sup., 3890 (ii).
Douglas Island, Purchase by Govt.: Ques. (Mr. Crocket) 3165 (ii).
Doukhobors, Comparison *re* h. m. for Dauphin, Ques. of Order (Mr. Campbell) 5532 (iii).
Dover Wharf: in Com. of Sup., 989 (i).
Drawbars on Freight Cars, I. C. R.: in Com. of Sup., 2882 (ii).
Dredge Construction at Sorel, Estimated Cost, &c.: Ques. (Mr. Monk) 3159 (ii).
Dredging at Bathurst and Campbellton, Contract of A. & R. Loggie: Ques. (Mr. Crocket) 6508 (iv).
See 'Bathurst' &c.
Dredging, B. C.: in Com. of Sup., 6138 (iv).
Dredging Contracts, Fraudulent Charges *re* Inspectors: Remarks (Mr. Crocket) in Com. of Sup., 1180 (i).
Dredging Inspection on Public Works: Remarks (Mr. S. Sharpe) in Com. of Sup., 4252 (iii).
Dredging, Man.: in Com. of Sup., 6137 (iv).
—— Mar. Provs.: in Com. of Sup., 4780, 5608 (iii).
—— Mar. Provs., Repairs to Vessels, &c.: in Com. of Sup., 5716 (iii).
—— Ont.: in Com. of Sup., 4809 (iii).
Dredging Plant, B. C.: in Com. of Sup., 4771 (iii).
—— Generally: in Com. of Sup., 4777 (iii).
—— Man.: in Com. of Sup., 4771 (iii).
—— Mar. Provs.: in Com. of Sup., 4738 (iii).
—— Ont and Quebec: in Com. of Sup., 4759 (iii); 6124 (iv).
—— St. Lawrence River: in Com. of Sup., 8523 (v).
—— Sask. and Alberta: in Com. of Sup., 4771 (iii).
Dredging Vessels, Repairs, &c.: in Com. of Sup., 4731 (iii).
See 'Govt. Dredges.'
Dresden Public Building: in Com. of Sup., 7174 (iv).
Drill Halls and Armouries, Contribution to Cost by Municipalities: Ques. (Mr. Worthington) 1534 (i).
Drill Halls and Armouries, Erection, Cost of Sites, Construction, &c.: M. for Ret.* (Mr. Edwards) 1546 (i).
See 'Armouries.'
Drinkle, Hope Eileen Moreland, Relief of: *See* 'B. No. 134.'
Dry Dock at Port Arthur, Application, &c. *re* Subsidy: Ques. (Mr. Boyce) 104 (i).
See 'Port Arthur.'
Dry Dock at Sault Ste. Marie, Application *re* Subsidy, &c.: Ques. (Mr. Boyce) 105 (i).
See 'Sault Ste. Marie.'
Dry Docks, Subsidy to: *See* 'B. No. 229.'
Dual Representation in H. of C., Remarks (Mr. Campbell) 6802 (iv).
See 'H. of C. Members,' 'Representation,' 'Ottawa City,' &c.
Dublin Shore Breakwater Pier: in Com. of Sup., 990 (i).
Dubuc, Chief Justice, Date of Resignation, Apptmt. of Successor: Ques. (Mr. A. Haggart) 1975 (ii).
—— Remarks (Mr. A. Haggart) 2277 (ii).
See 'Judges, Man.,' &c.
Dufferin Electoral Division, Certificate of Election: Notification (Mr. Speaker) 620, 1731 (i).
—— Date of: Remarks(Mr. Sproule) 623 (i).
—— Representation of: Notice (Mr. Sproule) 521 (i).
Duncan Life Boat Station: in Com. of Sup., 990 (i).
Dundas Public Building: in Com. of Sup., 7174 (iv).
Dunkin and Highwater Mail Service, Complaint of Mr. C. A. Barnett *re*: Ques. (Mr. Worthington) 4311 (iii).
Dunn, John A., Application for N. W. Lands: M. for Cor.* (Mr. Roche) 3170 (ii).
Dunnville Postal and Customs Revenue from 1900 to 1909: Ques. (Mr. Lalor) 1009 (i).

Du Tremblay, Mr. A., Instructions *re* Prosecutions: Ques. (Mr. Girard) 8678 (v).
'Earl Grey,' Str., Names, &c., of Crew, Wages, &c.: Ques. (Mr. Stanfield) 3486 (ii).
Easter Adjournment: M. Sir Wilfrid Laurier) 5688 (iii).
Eastern Deptl. Bldg., Ottawa, Extension: in Com. of Sup., 571 (i).
Eastern Canada Manufacturers' Mutual Fire Insurance Co.: *See* 'B. No. 124.'
Eastern Cavalry Brigade, Place of Training, Strength, Cost, &c.: Ques. (Mr. Worthington) 636 (i).
Eastern Dredging Co., Contracts, Payments to by Pub. Works Dept.: Ques. (Mr. Crocket) 2717 (ii).
Eastern Passage Harbour: in Com. of Sup., 990 (i).
Eastern Townships Ry. Co.: *See* 'B. No. 30.'
Edmonton-Athabaska Telegraph Lines: in Com. of Sup., 6154 (iv).
Edmonton, Calgary, &c., Post Offices, Revenue per Month, Number of Employees: Ques. (Mr. McCarthy) 1590 (i).
Edmonton, Dunvegan and British Columbia Ry. Co.: *See* 'B. No. 78.'
Edmonton and Slave Lake Ry. Co.: *See* 'B. No. 42.'
Eighteenth Regiment, Refund of Moneys *re* False Names on Pay List: Ques. (Mr. Girard) 6800 (iv).
See 'Militia.
Elections Act Amt.: *See* 'B. Nos. 21, 109.'
Electric and Gas Exportation Licenses, Number issued, &c.: Ques. (Mr. Lancaster) 167 (i).
Electric Inspections: in Com. of Sup., 1356 (i).
Electrical Measuring: *See* 'B. No. 7.'
Elevators at Terminal Points, Building, &c.: M. for Cor.* (Mr. Campbell) 1022 (i).
Elliott Bros. & R. Carson, Amounts paid to by Govt.: Ques. (Mr. Edwards) 1974 (ii).
——— M. for Ret.* (Mr. Edwards) 2150 (ii).
Elora Public Building: in Com. of Sup., 7174 (iv).
Emigration from Canada, System of Record Keeping: Ques. (Mr. U. Wilson) 268 (i).
See 'Immigration.'
Engineering Branch, Public Works Dept.: in Com. of Sup., 5720 (iii), 6163 (iv).
Engineers' Services *re* Militia: in Com. of Sup., 8569 (v).
Engineers, Status in Civil Service, Pensions, &c.: M. for Memorials, &c. (Mr. Warburton) 2019 (ii).
Erie, London and Tilsonburg Ry. Co.: *See* 'B. No. 137.'
Escheats to the Crown: *See* 'B. No. 206.'
Esquimalt Armament, Cost of Transporting Guns, &c.: Ques. (Mr. Barnard) 1017 (i).
Esquimalt Battery Guns, Cor. *re*: M. for Copy* (Mr. Barnard) 3170 (ii).
Esquimalt Fortificatons, Dismantling of, Imp-Conc.: Ques. (Mr. Barnard) 2292 (ii).
Esquimalt Naval Station, Continuous Maintenance: Ques. (Mr. J. D. Taylor) 633 (i).
——— Negotiations *re* Transfer from Imp. Govt.: Ques. (Mr. Worthington) 265 (i).
See 'Militia.'
Esquimalt and Nanaimo Ry. Co.: *See* 'B. No. 62.'
Essex Electoral District, Certificate of Election: Notification (Mr. Speaker) 620 (i).
Essex Terminal Ry. Co.: *See* 'B. No. 203.'
Estevan Public Building: in Com. of Sup., 8185 (v).
Estimates, Delay in Bringing down: Remarks (Mr. W. H. Sharpe) in Com. of Sup., 8529 (v).
Estimates, The, 1909-10: Presented (Mr. Fielding) 154 (i).
——— Suppl., 1910: Presented (Mr. Fielding) 377 (i), 2949 (ii), 5277 (iii).
——— (1911) Suppl.: Presented (Mr. Fielding) 7519 (v).
Estimates, Suppl.: Remarks (Mr. R. L. Borden) 3987 (iii).
Evers, Mr. T., Emplymt. as Electrician on Lachine Canal: Ques. (Mr. Verville) 2428, 2927 (ii).
Exchequer Court Act Amt.: *See* 'B. No. 159.'
Excise Bonding Warehouses, Licenses: *See* 'B. No. 9.'
Excise, French Translation: in Com. of Sup., 1342 (i).
——— Inspectors Salaries: in Com. of Sup., 1331 (i).
——— Provisional Allowance in Man.: in Com. of Sup., 1344 (i).
——— Surveys, Special Pay for Extra Hours: in Com. of Sup., 1336 (i).
——— Travelling Expenses, Rents, &c.: in Com. of Sup., 1341 (i).
Exhibition at Charlottetown: in Com. of Sup., 7766 (v).
Exhibitions: in Com. of Sup., 5728 (iii).
Exhibitions, Foreign, Canadian Participation *re*, Expenditure by Canada: M. for Ret.* (Mr. Foster) 1977 (ii).
See 'Agriculture.'
Experimental Farms at Agassiz, B.C., Dom. Contribution *re* Construction: Ques. (Mr. J. D. Taylor 2294 (ii).
Experimental Farms: in Com. of Sup., 7333 (iv.
——— Branch Stations, &c.: in Com. of Sup., 5724 (iii), 7392 (iv), 7764-5 (v).
Experimental Farms Contingencies: in Com. of Sup., 227 (i).

Experimental Farm, Lethbridge, Cor., &c., *re* Establishing: M. for Copies* (Mr. Magrath) 2150 (ii).

Experimental Farm at Ottawa, Number of Horses, &c.: Ques. (Mr. S. Sharpe) 5002 (iii).

Explosives on Construction Works, Number of Accidents, Investigations, &c.: M. for Ret.* (Mr. Robb) 172 (i).

Explosives, Storage, &c.: in Com. of Sup., 8556 (v).

Extension, B.C., Mining Disaster, Medals Awarded, Investigation, &c.: Ques. (Mr. Macdonell) 270 (i).

External Affairs, Deptl. Salaries: in Com. of Sup., 337 (i).

Factories Insurance Co.: *See* 'B. No. 51.'

Fairville Public Building: in Com. of Sup., 580 (i).

Farm Bulletins, Printing, &c.: in Com. of Sup., 7377 (iv).

Farm and Dairy Produce, Amount exported: Ques. (Mr. Armstrong) 1016 (i).

'Farm Weeds,' Expenditure *re* Preparation, Printing, &c.: Ques. (Mr. Foster) 1965 (ii).

Father Point Wharf Improvements: in Com. of Sup., 3891 (ii).

Federation of Chambers of Commerce of P.Q.: *See* 'B. No. 220.'

Federal and Provincial Jurisdiction *re* Companies: Remarks (Mr. Monk) 3207 (ii).

Federal Trust Co.: *See* 'B. No. 161.'

Fences along Rys.: *See* 'B. No. 53.'

Fenelon Falls Dry Dock, Construction of: Ques. (Mr. Hughes) 1207 (i).

Fenian Raid Veterans, Land Grants to: Ques. (Mr. Worthington) 789 (i).

——— Recognition of Service, &c.: Remarks (Mr. Thoburn) 7068 (iv).

——— Request *re* Indemnity: Ques. (Mr. Papineau) 5560 (iii).

See 'Volunteers Bills Nos. 87 and 163.'

Ferguson Balloting Device, Examination *re*: Ques. (Mr. Geo. Taylor) 7289 (iv).

Fergus Public Building: in Com. of Sup., 7178 (iv), 8190 (v).

Fiddler's Elbow, Dredging Channel: in Com. of Sup., 3833 (ii).

Fiddle Reef Lighthouse Keeper, Salary Increase: Remarks (Mr. Burrell) in Com. of Sup., 8519 (v).

Fielding, Hon. W. S., Gift to: *See* 'Ministers of the Crown.'

Fighting Island Channel Improvement: Remarks (Mr. D. A. Gordon) 3860 (ii).

Financial Statement—The Budget (Mr. Fielding) 1446 (i).

FINANCE.

Aud. Gen.'s Rep., Vols. 1. and III.: Presented (Mr. Fielding) 7 (i).

FINANCE—*Con.*

——— Vol. II.: Presented (Mr. Fielding) 1730 (i).

Aud. General's Office, Salaries: in Com. of Sup., 7768 (iv).

Banking Act, Consideration of: Remarks (Mr. Emmerson) 6947 (iv).

——— Expiration of, &c.: Ques. (Mr. Beattie) 2950 (ii).

Bank Deposits in 1909: Ques. (Mr. Burrell) 5001 (iii).

Bank Shareholders List: Ques. (Mr. Henderson) 4846 (iii).

——— Report presented (Sir Wilfrid Laurier) 5759 (iii).

Canadian Coinage, Amount for ten years, Cost, Profit, &c.: Ques. (Mr. Foster) 1967 (ii).

Canadian Coinage, Amount of U.S. Silver, &c.: M. for Ret.* (Mr. Foster) 2150 (ii).

Chartered Banks gone into Liquidation since 1888, &c.: M. for Ret.* (Mr. Foster) 3170 (ii).

Coins Uncurrent and Foreign, Removal from circulation: in Com. of Sup., 5607 (iii).

Currency, Dom., Issue of Clean Circulation: Ques. (Mr. Lewis) 8238 (v).

——— Remarks (Mr. Lewis) 7188 (iv).

Estimates, The, 1909-10: Presented (Mr. Fielding) 154 (i).

——— Suppl., 1910: Presented (Mr. Fielding) 377 (i), 2949 (ii), 5277 (iii).

——— (1911) Suppl.: Presented (Mr. Fielding) 7519 (v).

Finance and Treasury Board Salaries: in Com. of Sup., 335 (i).

Financial Statement—The Budget (Mr. Fielding) 1446 (i).

Foreign Capital invested in Canada, Location, &c.: Ques. (Mr. Fowke) 631 (i).

Gold Specie, Statutory Provision *re* Reserve: Ques. (Mr. Lennox) 3294 (ii).

Old Age Annuities: in Com. of Sup., 8811 (v).

——— Annuities Act, Expenditure *re* Administration, Receipts, &c.: Ques. (Mr. Foster) 2142 (ii).

Royal Mint, Loss *re* Operation, Amount of Silver, &c.: Ques. (Mr. Armstrong) 784 (i).

Temporary Loans Outstanding on March 1st, 1910, &c.: Ques. (Mr. Geo. Taylor) 8237 (iv).

Temporary Loans since beginning of present Session, Conditions re: Ques. (Mr. Foster) 1206 (i).

——— since June 1st, 1909: Ques. (Mr. Foster) 169 (i).

Fires caused by Rys.: *See* 'B. No. 48.'
Fires caused by Govt. Rys.: *See* 'B. No. 232.'
Fisheries Act Amt.: *See* 'B. No. 192.'
Fish Industry of Can. and Combines: *See* 'B. No. 101.'
Fisheries Protection Act Amt.: *See* 'B. No. 128.'
Fish used as Fertilizers: *See* 'B. No. 192.'
Fishing Vessels, Licenses to: *See* 'B. No. 199.'
FISHERIES.
Atlantic Fisheries, Amount of Expenditure *re*: M. for Ret.* (Mr. Jameson) 1976 (ii).
Bait Freezers, Date of Govt. Assistance, Number erected, &c.: Ques. (Mr. Jameson) 1593 (i).
Bait Freezers at Inverness, Total Cost: Ques. (Mr. Rhodes) 4310 (iii).
Bait Supply in Bay of Fundy, Complaints *re*: Ques. (Mr. Jameson) 1965 (ii).
B.C., Claim *re* Fisheries Collections: in Com. of Sup., 8552 (v).
Canadian Fisheries Exhibit: in Com. of Sup., 8544 (v).
Chambly River Dam, and Fishing Right: Remarks (Mr. Gervais) in Com. of Sup., 8538 (v).
Cold Storage for Bait, &c.: in Com. of Sup., 8545 (v).
Dog Fish Reduction Plant: in Com. of Sup., 8545 (v).
—— Cost of Maintenance, Location, &c.: M. for Ret.* (Mr. R. L. Borden) 109 (i).
Fish Breeding Establishments: in Com. of Sup., 8540 (v).
Fish Contract for Penitentiary: *See* 'Penitentiary.'
Fish Drier at Souris, Operation, Total Cost, &c.: Ques. (Mr. Fraser) 6798 (iv).
Fish Fry, Application Forms: Remarks (Mr. Edwards) 3058 (ii).
Fish Prices in B.C., 7884 (iv).
Fish Transportation and Conservation: in Com. of Sup., 5747 (iii).
Fish Tariff between U. S. and Canada: Par. in Ottawa 'Citizen' (Mr. Jameson) 4811 (iii).
—— Fisheries Commission, Number since 1896, &c.: Ques. (Mr. Jameson) 1198 (i).
Fisheries Regulations, Violation of, Names of Persons, &c.: M. for Ret. (Mr. Rhodes) 5501 (iii).
Fisheries Regulations and N. Essex Fishermen: Remarks (Mr. Wilcox) in Com. of Sup., 8811 (v).
Fisheries Revenue, Alberta and Sask., &c.: Ques. (Mr. Lake) 1021 (i).
Fishermen's Bait Associations, Amounts paid for Storage, &c.: Ques. (Mr. Maddin) 1015 (i).
FISHERIES—*Con.*
Fishery Inspectors' Salaries: in Com. of Sup., 8536 (v).
Fishing Licenses in B. C., Compensation Claims, Disputes, &c.: Ques. (Mr. J. D. Taylor) 3933 (ii).
Fishways Building: in Com. of Sup., 8534 (v).
Gunn, Mr. Peter, Apptmt. as Fishery Inspector at Lac Ste. Anne: Ques. (Mr. Bradbury) 3737 (ii).
Hatcheries and Breeding Establishment for Fish: in Com. of Sup., 5750 (iii).
Hatcheries at Berens River and Snake Island, Total Cost: (Mr. Bradbury) 632 (i).
Hatcheries in Man., Cost of Construction, Revenue, &c.: Ques. (Mr. Bradbury) 384 (i).
Herring Fisheries in Charlotte, Quantity Packed, Value, &c.: Ques. (Mr. Jameson) 1782 (i).
—— Number of Licenses issued: Ques. (Mr. Jameson) 1782 (i).
—— Transportation to U. S. in Canadian or American Boats: Ques. (Mr. Jameson) 1777 (i).
Intelligence Bureau *re* Fisheries and Customs: in Com. of Sup., 8547 (v).
International Fishery Commission, Regulations, &c., Legislation *re*: Ques. (Mr. J. D. Taylor) 3490 (ii).
International Fisheries Commission: Inquiry for Rep. (Mr. Henderson) 1880 (i).
—— Inquiry for Rep. (Mr. Jameson) 3059 (ii).
International Fisheries Regulations, Rep. *re*: Ques. (Mr. Henderson) 381 (i), 2153 (ii).
Lac du Bonnet Fishing Leases, Applications, &c.: M. for Copies* (Mr. Campbell) 277 (i).
—— Letters from Mr. Wold: Read (Mr. Bradbury) 6720 (iv).
Lake Winnipegosis Fish Hatchery: Remarks (Mr. Campbell) in Com. of Sup., 8540 (v).
Legal Expenses *re* Fisheries: in Com. of Sup., 8543 (v).
Lobster Canning Factories, Failure to send Returns, &c.: Ques. (Mr. Sinclair) 259 (i).
Lobster Canning Plants, Names of Officers connected with: Ques. (Mr. Jameson) 3936 (ii).
Lobster Cannery Licenses, Number issued: Ques. (Mr. Jameson) 1970 (ii).
Lobster Fisheries Report: Presented (Mr. Sinclair) 7867 (v).
—— M. (Mr. Sinclair) to conc. in Rep. of Com., 3986 (iii), 8101, 8214 (v).
Lobster Fisheries Investigation, Report *re*: Ques. (Mr. Daniel) 2149 (ii).

FISHERIES—*Con.*
Manitoba Fisheries Investigation, on M. for Sup. (Mr. Bradbury) 2667, 2683 (ii).
——— Changes in Rep., &c.: Remarks (Mr. Bradbury) 3391 (ii).
——— Evidence and Rep., Completion of: Ques. (Mr. Campbell) 276 (i).
——— Inquiry for (Mr. Campbell) 1302, 1801 (i), 1962 (ii).
——— Ques. of Priv. *re* 'up to date' (Mr. Campbell) 2151 (ii).
——— Amts. *re*: Remarks (Mr. Bradbury) 4308 (iii).
——— Regulations in Man.: Inquiry for (Mr Bradbury) 3480 (ii), 5894 (iii).
——— Signing of Report: Remarks (Mr. R. L. Borden) 2961 (ii).
Marine and Fisheries (lobster industry) Com.: M. to conc. in Rep. (Mr. Sinclair) 3986 (iii), 8101, 8214 (v).
North Atlantic Fisheries, Date of Meeting at the Hague, Counsel, &c.: Ques. (Mr. Macdonell) 271 (i).
Pembina River Fishing Regulations: Remarks (Mr. W. H. Sharpe) in Com. of Sup., 8529 (v).
Protection Service, Fisheries: in Com. of Sup., 5752 (iii), 8509 (v).
Provincial and Federal Jurisdiction *re* Fisheries: in Com. of Sup., 8546 (v).
Quebec Fisheries and Special Regulations, Licenses granted, &c.: Ques. (Mr. Boyer) 6940 (iv).
Salmon Fishery, Digby, Reports, &c.: M. for Cor.* (Mr. Jameson) 1022 (i).
——— Incomplete Ret.: Remarks (Mr. Jameson) 2798 (ii).
Salmon River Dam and Fishing Rights: Remarks (Mr. Jameson) in Com. of Sup., 8535 (v).
Snake Island Fish Hatchery, Contracts *re* Spawn: M. for Copies* (Mr. Campbell) 277 (i).
Flag for Canada, Distinctive Ensign: Ques. (Mr. Jameson) 133 (i).
Fleming, Helena Mellor, Relief of: *See* 'B. No. 179.'
Foreign Capital invested in Canada, Location, &c.: Ques. (Mr. Fowke) 631 (i).
Forests. Conservation of: *See* 'B. No. 185.'
Forest and Timber Protection: in Com. of Sup., 8491 (v).
Forster, James Alexander Hurst, Relief of: *See* 'B. No. 221.'
Fort George Canyon Channel Improvement: in Com. of Sup., 4727 (iii).
Fort Henry Reserve, Condition at Time of Lease to R. J. Dunlop: Ques. (Mr. M. Currie) 3934 (ii).
Fort William and Port Arthur Grain Supervisors, Number, &c.: Ques. (Mr. Schaffner) 3482 (ii).
Fort William Wharf, Ottawa River: in Com. of Sup., 3891 (ii).
Forty-ninth Regiment, Apptmt. of Commanding Officer: Ques. (Mr. Northrup) 4311 (iii).
Fox Island Beach Protection: in Com. of Sup., 990 (i).
Franking Privilege, Justice Dept.: Ques. (Mr. J. D. Taylor) 1207 (i).
Franking Privilege, Political Literature and Sol. Gen.'s Frank: Remarks (Mr. J. D. Taylor) on M. for Sup., 7784, (amt.) 7792, neg. (Y. 49; N. 79) 7834 (v).
Fraser River Bank Protection: in Com. of Sup., 4295 (iii).
——— Remarks (Mr. Taylor) in Com. of Sup., 4212 (ii).
Fraser River Dredging, Depth of Channel, &c.: Ques. (Mr. J. D. Taylor) 2487 (ii).
Fraserville Armoury: in Com. of Sup., 662 (i).
Fredericton Building, Pavements: in Com. of Sup., 581 (i).
Freight Rates, Guarantee against Loss: *See* 'B. No. 2.'
French Canadian Party in Parlt.: Ques. of Priv. (Mr. Blondin) 8115 (v).
French Floods Relief Fund: Grant to, 3059; Tel. from Sir Francis Bertie: Read (Mr. Fielding) 3295 (ii).
French, Sir John, Inspection of Militia Camps: Ques. (Mr. Hughes) 133 (i).
See 'Militia.'
French Treaty Amt: *See* 'B. Nos. 12 and 126.'
French Treaty, on M. to adjn.: Remarks (Mr. R .L. Borden) 6 (i).
——— Cor., &c.: M. for Copies* (Mr. R. L. Borden) 109 (i).
——— Minimum Duties, Trade Arrangements, &c.: Ques. (Mr. Foster) 8664 (v).
——— Par. in Press *re* Consideration in France (Mr. Foster) 1690 (i).
——— Provisions *re* Termination: Ques. (Mr. Monk) 276 (i).
——— Similar Treatment to Germany: Ques. (Mr. Armstrong) 1193 (i).
See 'German,' &c.
Frontenac County, Lands held by Govt. for Military Purposes, &c.: Ques. (Mr. Edwards) 1371 (i).
——— Govt. Property leased to Sir R. Cartwright, Rental, &c.: Ques. (Mr. Edwards) 262 (i).
Frontenac Mail Contracts, Payments, Revenue &c.: Ques. (Mr. Edwards) 5105 (iii), 7036 (iv).
——— Remarks (Mr. Edwards) in Com. of Sup., 6654 (iv).

Fumigating Stations: in Com. of Sup., 7380 (iv).
Galops Canals, Concrete Piers: in Com. of Sup., 3124 (ii).
Gambling Bill, Pamphlet *re*: Ques. of Priv. (Mr. Miller) 3937 (ii).
Garden Fruits and Vegetables, Pet. *re* Removal of Duty: Remarks (Mr. Bradbury) on M. for Sup., 6646 (iv).
Garden River and Mississagua Indian Reserve, Construction of Trunk Road, Negotiations *re*: Ques. (Mr. Boyce) 635 (i).
Gardiner, Wm. Reid, Cancellation of Entry, &c.: M. for Cor.* (Mr. Roche) 5502 (iii).
Garrison Artillery Guns, Supply of Field Guns, &c.: Ques. dropped, 1790; on Ques. of Order (Mr. Foster) *re* asking by another Member, 1791; Ruling (Mr. Speaker) 1791, 1799; Answered by Minister, 1800 (i).
Garrison Artillery Regiment, Number, Strength, &c.: Ques. (Mr. Barnard) 2145 (ii).
—— Supply of 12-pounder Guns: Ques. (Mr. Worthington) 1593 (i).
See 'Militia,' &c.
Gas Inspection Act Amt.: *See* 'B. No. 132.'
Gas Inspections: in Com. of Sup., 1355 (i).
Gaspe Deepwater Wharf: in Com. of Sup., 3892 (ii).
Gaspereaux River Dredging, Total Payments to Mar. Dredging Co.: Ques. (Mr. Crocket) 2487; Demand for Papers read by Minister (Mr. Crocket) 2489 (ii).
—— Remarks (Mr. Barker) in Com. of Sup., 3837 (ii).
See 'Bathurst,' &c., 'Mar. Dredging Co.'
Gatineau and Ungava Ry. Co.: *See* 'B. No. 190.'
Geological Survey, Purchase of Books, &c.: in Com. of Sup., 8556 (v).
Georgetown Engine House: in Com. of Sup., 3065 (ii).
Georgian Bay Canal Co.: *See* 'B. No. 58.'
Georgian Bay Canals, O.C.'s., &c., *re* Construction: M. for Copies (Mr. G. V. White) 3495 (ii).
—— Inquiry for Ret. (Mr. G. V. White) 6616 (iv).
—— Ret.: Laid on Table (Mr. Pugsley) 8734 (v).
German Surtax, Error in Memorandum: Remarks (Mr. R. L. Borden) 4712 (iii).
—— Explanations *re* Negotiations: Remarks (Mr. Armstrong) 3679 (ii).
German Tariff, Agreement wtih Canada: Remarks (Mr. R. L. Borden) 3829 (ii).
Germany and Canada Trade Relations, Similar Treatment as France: Ques. (Mr. Armstrong) 785, 1196 (i).
See 'Can. and Germany,' 'Customs,' &c.
German Trade Relations, Par. in New York 'Herald': Remarks (Mr. Armstrong) 2635 (ii).
—— Value of Exports. &c.: Ques. (Mr. Armstrong) 261 (i).
Gervais, Alphonse, Emplymt. by Govt.: Ques. (Mr. Monk) 6178 (iv).
Gervais, Mrs. C., Issue of Scrip, Location, &c.: Ques. (Mr. Herron) 6934 (iv).
Giant's Tomb Island, Estimate of Timber for Sale, Tenders *re*: Ques. (Mr. Geo. Taylor) 4617 (iii).
Gimli Wharf Extension: Remarks (Mr. Bradbury) in Com. of Sup., 4262 (iii).
Glassware used in Milk Tests, Inspection: *See* 'B. No. 184.'
Glover, Robert, Pet.: Ruled out of Order (Mr. Speaker) 1586 (i).
Goby, Mrs., Application by U. S. Immigration Dept. for Deportation: M. for Cor.* (Mr. Boyce) 171 (i).
Goderich Excise Collections, Name of Officer, &c.: Ques. (Mr. Beattie) 3933 (ii).
Goderich Harbour Improvements: in Com. of Sup., 3468 (ii).
Goderich Public Building: in Com. of Sup., 7496 (v).
Godfroy Pile Wharf: in Com. of Sup., 3898 (ii).
Godin, Dr. Arsene, Payment of Indemnity *re* Damages on Chambly Canal, &c.: Ques. (Mr. Blondin) 2486 (ii).
Gold Specie, Statutory Provision *re* Reserve: Ques. (Mr. Lennox) 3294 (ii).
Gordon, Mrs. John, Allowance, &c.: in Com. of Sup.. 5616 (iii).
Govt. Annuities Act Amt.: *See* 'B. Nos. 155 and 212.'
Govt. Business: Remarks (Mr. R. L. Borden) 6099 (iv).
—— Remarks (Mr Foster) 926 (i).
Govt. Business, Precedence on Mondays: M. (Mr. Fielding) 3829 (ii).
—— Precedence on Wednesdays: M. (Sir Wilfrid Laurier) 2221 (ii).
—— M. (Sir Wilfrid Laurier) to take in Wednesdays, 4315 (iii).
—— Remarks on Easter Adjournment (Mr. Sproule) 5893 (iii).
—— Unopposed Motions: Remarks (Mr. Foster) 4308 (iii).
Govt. Dredges, Purchase of, Ret. *re*: Remarks (Mr. German) 3944 (ii).
—— Stmnt. (Mr. Graham) 3986 (iii).
See 'Dredges.'
Govt. Employees, Garnisheeing Wages: *See* 'B. No. 175.'
Gov. Gen.'s Cars, Repairs, &c.: in Com. of Sup., 3127 (ii).

Govt. Property leased to Sir R. Cartwright: *See* 'Frontenac.'
Govt. Rys. Act (damages by fire) Amt.: *See* 'B. No. 232.'
Govt. Rys., Jurisdiction of Exchequer Court *re* Accidents: *See* 'B. No. 159.'
See 'I.C.R.'
Govt. Steamers, Names, Cost, Date of Construction, &c.: Ques. (Mr. Sinclair) 1536 (i).
—— M. for Ret.* (Mr. Sinclair) 1976 (ii).
Govt. Steamers purchased by Marine Dept. since 1896: Ques. (Mr. Blain) 3484 (ii).
Govt. Steamers, Tenders *re* Building: Ques. (Mr. J. A. Currie) 1004 (i).
Govt. Telegraph Lines, Mileage, Cost of Construction, Maintenance, &c.: Ques. (Mr. Foster) 2184 (ii).
Govt. Weigher at Montreal, Apptmt. of, Pets., Cor., &c.: M. for Copies* (Mr. Armstrong) 1546 (i).
Gowganda Junction Post Office: Remarks (Mr. Geo. Gordon) in Com. of Sup., 7865 (v).
Grain Act Amt.: *See* 'B. Nos. 49, 88.
Grain Exports from Montreal for Ten Years, &c.: Ques. (Mr. J. D. Reid) 782 (i).
Grain Inspection Board: in Com. of Sup., 5714 (iii).
Grain Mixing by Elevator Men at Fort William, &c., Charges *re*: Remarks (Mr. Schaffner) 5933 (iv).
Grain Shipments from the West: M. for Papers (Mr. McCarthy) 1687 (i).
Grain shipped from and received at Lake Ports, Ont.: Ques. (Mr. Arthurs) 445 (i).
Grain Supervisors at Fort William, &c., Number, Cost, &c.: Ques. (Mr. Schaffner) 3482 (ii).
Grain Survey Board: *See* 'B. No. 40.'
Grain Trade, Deputations *re*: Remarks (Mr. Oliver) 8584 (v).
—— Letter of Mr. R. McKenzie: Read (Mr. Schaffner) 8577 (v).
—— Over-classification of Grades: Remarks (Mr. Meighen) 8343; Reply (Mr. Oliver) 8363 (v).
—— Terminal Elevator Co., Tel., &c., Read (Mr. Schaffner) 8240 (iv).
Grand Bend Piers: in Com. of Sup., 3468 (ii).
Grand Bend Pier: Remarks (Mr. Armstrong) in Com. of Sup., 3852 (ii).
Grand Falls Public Building: in Com. of Sup., 582 (i).
Grand Mechin Wharf: in Com. of Sup., 3900 (ii).
Grand Mere Post Office: Remarks (Mr. Blondin) in Com. of Sup., 932 (i).
Grand Mira Wharf, Cost, &c.: Ques. (Mr. Maddin) 6799 (iv).
Grand Rivière (Gaspé) Wharf: in Com. of Sup., 3903 (ii).
G. T. P. Branch Lines Co.: *See* 'B. No. 127.'
G. T. R. Co. of Can.: *See* 'B. N. 164.'
GRAND TRUNK PACIFIC RAILWAY.
Arbitration Agreement of 14th May, 1909, Acceptance of by Govt.: Ques. (Mr. Lennox) 2137 (ii).
Bonds guaranteed, Total Amount to 31st March, 1910: Ques. (Mr. Geo. Taylor) 8237 (v).
Branch Lines, Charters, Construction, Locations, &c.: Ques. (Mr. Armstrong) 1366 (i).
Classification, Letters of Aud. Gen., &c.: Ques. (Mr. Lennox) 386 (i).
—— Memorandum from Chairman to Prime Minister: Ques. (Mr. Lennox) 2139 (ii).
—— Classifications submitted to Mr. Lumsden on 16th March, 1909: Ques. (Mr. Lennox) 261 (i).
——Written Objections *re*: Ques. (Mr. Lennox) 2297 (ii).
Construction Contracts, N.B., Provisions *re* Sub-letting, &c.: Ques. (Mr. Crocket) 383 (i).
—— M. for Cor.* (Mr. Crocket) 643 (i)
—— Provision *re* Forfeits, &c.: Ques. (Mr. Lennox) 387 (i).
—— Corrected Answer, 447 (i).
Courtenay Bay, G. T. P. Terminals, Tenders *re* Dredging, &c.: Ques. (Mr. Daniel) 3156 (ii).
Eastern Div. Survey, Location, &c., Names of Engineers, &c.: M. for Ret.* (Mr. Lennox) 1687 (i).
Engineers' Complaints against Arbitrators: Ques. (Mr. Lennox) 2141 (ii).
Entrance into Brandon, Res. *re*: Ques. (Mr. Roche) 3159 (ii).
Hodgins, Major, Name of Asst. Engineer in Aug. and Sept., 1907: Ques. (Mr. Lennox) 2284 (ii).
—— Payments to Counsel, Total Cost.: Ques. (Mr. Lennox) 7064 (iv).
Land Sales along Lines: Ques. (Mr. Foster) 1966 (ii).
N. T. Ry., Accidents, Circular *re* Explosives: Ques. (Mr. Robb) 4512 (iii).
—— Adjustment of Disputed Item ref. to in Letter of Aud. Gen., O. C.'s, &c.: M. for Copies* (Mr. Lennox) 3495 (ii).
—— Amounts paid to Contractors, Number of Employees, &c.: Ques. (Mr. Jameson) 164 (i).
—— Board of Arbitrators, Names, Contractors claims *re* over-classification: Ques. (Mr. S. Sharpe) 836 (i).
—— Bourgeois, Mr. B., Dismissal from N. T. Ry., &c.: Ques. (Mr. Lennox) 3166, 3676 (ii).

GRAND TRUNK PACIFIC RAILWAY—*Con.*
——— Classification, Letters of Aud. Gen.: M. for Cor.* (Mr. Lennox) 643 (i).
N.T. Ry. Commission: Inquiry for Ret. (Mr. Lennox) 3682 (ii).
——— Number of Members, Salaries, &c.: Ques. (Mr. Schaffner) 630 (i).
——— Profits *re* Supplies: Ques. (Mr. J. D. Taylor) 3165 (ii).
——— Rep.: M. to print (Mr. Graham) 97 (i).
——— Rep., Distribution of: Remarks (Mr. Lennox) 622 (i).
National Transcontinental Ry. Construction, Surveys, &c.: in Com. of Sup., 3065 (ii); 5230, 5246 (iii), 8352 (v).
——— Names of Contractors, Estimated Expenditures, &c.; M. for Ret.* (Mr. Lennox) 2297 (ii).
——— Prop. Res. (Mr. Lennox) *re* Royal Commission, on M. for Sup., 8242 (Amt.) 8261, Neg. (Y. 62; N. 105) 8341 (v).
N.T. Ry., Dates of Contract from Winnipeg to Quebec: Ques. (Mr. Monk) 165 (i).
——— Date of Contract for Winnipeg and Superior Section, Expenditure, &c.: Ques. (Mr. Monk) 164 (i).
——— Estimated Cost of Excavations, on District 'F': Ques. (Mr. Lennox) 2285 (ii).
N. T. Ry., Lumsden, Hugh, Resignation, on M. to adjn.: Remarks (Mr. R. L. Borden) 6 (i).
———Remarks (Mr. R. L. Borden) 97 (i).
——— M. for Copies* (Mr. R. L. Borden) 109 (i).
——— Inquiry for Papers (Mr. R. L. Borden) 258 (i).
——— Return, Arrangement of Papers: Remarks (Mr. R. L. Borden) 522 (i).
——— Printing of Ret.: Remarks (Mr. R. L. Borden) 377 (i).
——— Additional Letter to Prime Minister: Remarks (Mr. R. L. Borden) 448, 622 (i).
——— Delay in Printing Ret.: Remarks (Mr. R. L. Borden) 1302 (i).
N. T. Ry. Classification, Resignation of Mr. Lumsden: M. (Sir Wilfrid Laurier) for Special Com., 2330, 2949 (ii).
——— on Order being called for Com.: Remarks (Sir Wilfrid Laurier) 2189 (ii).
——— Meeting of Com.: Remarks (Mr. Lennox) 3480 (ii).
——— 2nd Rep. of Com.: M. (Mr. Clarke) to conc., 3985 (iii).
——— 4th Rep. of Com. (Mr. Lennox) to consider, 5820 (iii), 6015 (iv).
——— Res. in Com. *re* Reporting to Hse.: Remarks (Mr. R. L. Borden) 5196 (iii).

GRAND TRUNK PACIFIC RAILWAY—*Con.*
——— Error in Res. in Com. *re* Reporting to Hse.: Remarks (Mr. R. L. Borden) 5277 (iii).
——— Ques. of Priv. (Mr. Lennox) 5562; on M. for Sup. (Mr. Barker) 5570 (iii).
——— 6th Rep. of Com.: M. (Mr. Geoffrion) to conc., 8737 (v).
N. T. Ry. Classification, Lumsden Charges, Apptmt. of Counsel: M. to conc. in 3rd Rep., 4070; Amt. (Mr. Lennox) 4071, Neg. (Y. 66; N. 100) 4076 (iii).
——— Counsel before Public Accounts Com., Names, Payments, &c.: Ques. (Mr. Rhodes) 4516 (iii).
——— Payment of Counsel Fees: Ques. (Mr. R. L. Borden) 8841 (v).
———Payment of Counsel Fees: M. (Mr. Macdonald) 8832 (v).
N.T.Ry. and G.T.P. Commission, Investigations *re* Classification, &c.: Ques. (Mr. Lennox) 260 (i).
——— Letter to Mr. Lumsden *re* Mr. Doucet's Opinion: Ques. (Mr. Lennox) 839 (i).
——— McArthur Contract, Name of Signatory: Ques. (Mr. Lennox) 3491 (ii).
——— McIntosh, Mr., Promotion of: Ques. (Mr. Lennox) 839 (i).
———M. for Cor.*, &c. (Mr. Lennox) 1686 (i).
N. T. Ry., Objections *re* Classification, &c.: M. for Ret.* (Mr. Lennox) 3169 (ii).
N. T. Ry., Contract to O'Brien & Fowler, &c., Estimated Quantities, Expenditure, &c.: Ques. (Mr. Lennox) 2715, 3291, 3490 (ii).
——— Portions surveyed by G.T.P., Change of Location: Ques. (Mr. Lennox) 2283 (ii).
N. T. Ry. and Quebec Bridge Estimates, Discussion *re*: Remarks (Mr. Graham) in Com. of Sup., 3132 (ii).
N. T. Ry. and Quebec Bridge, Expenditure *re* Surveys, &c.: Ques. (Mr. Lennox) 6392 (iv).
N. T. Ry., Tenders *re* St. Boniface Shops: Ques. (Mr. J. A. Currie) 8835 (iv).
——— Tunnel east of Winnipeg, Length, &c.: Ques. (Mr. Lennox) 2284 (ii).
——— Wheat Shipments, &c.: Ques. (Mr. Schaffner) 1206 (i).
N. T. Ry. from Winnipeg to Superior, Date of Opening for Traffic: Ques. (Mr. Henderson) 165 (i).
——— Ques. (Mr. Lennox) 2284 (ii).
Opening of Winnipeg to Lake Superior Division, ref. to in Speech from Throne: Ques. (Mr. Foster) 3677 (ii).
Prairie Section, Return *re* Cost, Verification of, &c.: Ques. (Mr. Campbell) 1783 (i).

GRAND TRUNK PACIFIC RAILWAY—*Con.*
Progress Estimates, Amounts claimed in District 'A' Contract: Ques. (Mr. Lennox) 2140 (ii).
Remuneration to Govt. Directors: in Com. of Sup., 3131 (ii).
Rothwell, Johnson & Co., Cor. *re* Legal Services for N. T. Ry. Commissioners: M. for Ret.* (Mr. Meighen) 643 (i).
Terminals, Expenditure *re* by Govt.: Ques. (Mr. Foster) 1205 (i).
Winnipeg to Edmonton Section, Completion, &c.: Ques. (Mr. Foster) 129, 623 (i).
Grande Vallée Breakwater: in Com. of Sup., 3904 (ii).
Gratuitiies *re* Militia Services: in Com. of Sup., 8571 (v).
Gravel, Mr. A. J., Inspector of Weights and Measures acting as Insurance Agent: Ques. (Mr. Wallace) 6505 (iv).
Gravenhurst Wharf: in Com. of Sup., 3468 (ii).
Great Lakes Dredging Co., Contracts on Kaministiquia River: Ques. (Mr. R. Smith) 3484 (ii).
Great Northwestern Tel. Co., Night Letter Rates *re* French Language: Remarks (Mr. E. Roy) 8240 (v).
Green, James Albert, Relief of: *See* 'B. No. 153.'
Green, John, Relief of: *See* 'B. No. 201.'
Greenwood Public Building: in Com. of Sup., 8191 (v).
Grenfell Wheat Elevator Accident, Representations *re*: Ques. (Mr. W. M. Martin) 2427 (ii).
Grenville Station to Grenville Village, Mail Service, Number of Tenders called for: Ques. (Mr. Perley) 131 (i).
Grimsby Post Office Accommodation: Remarks (Mr. Lancaster) in Com. of Sup., 928 (i), 8814 (v).
Grist Mills, &c., Indians in Man.: in Com. of Sup., 7853 (v).
Grosse Isle Quarantine Station: in Com. of Sup., 662 (i).
—— Wharf: in Com. of Sup., 3905 (ii).
Guelph Armoury: in Com. of Sup., 7496, 8169 (v).
Guelph Junction Ry. Co.: *See* 'B. No. 218.'
Gulf Shore Breakwaters: in Com. of Sup., 991 (i).
Gull Cove Breakwater, Recommendation of Engineer, &c.: Ques. (Mr. Maddin) 6798 (iv).
Gulliver's Cove Breakwater, Pet. *re* Construction: Ques. (Mr. Jameson) 1206 (i).
Gunn, Mr. Peter, Apptmt. as Fishery Inspector at Lac Ste. Anne: Ques. (Mr. Bradbury) 3737 (ii).
Habitant River Wharf at Canning: in Com. of Sup., 992 (i).
Haggerty's Wharf Pier Head: in Com. of Sup., 2694 (ii).
Haileybury Harbour Improvements: in Com. of Sup., 3468 (ii).
Half-Breed Scrip Issue, Commission *re*: Ques. (Mr. Lake) 5931 (iv).
—— Location since January, 1910: Ques. (Mr. Bradbury) 6937 (iv).
Half-Sections in Man., N. ½, &c., Sale of: Ques. (Mr. W. H. Sharpe) 5889 (iii).
Halifax and Esquimalt Navy Yards, Observations of Sir. Wm. White *re* Condition: Remarks (Mr. R. L. Borden) 1802 (i).
—— Stmnt. read (Sir Frederick Borden) 1961 (ii).
—— Protection *re* Deterioration: Ques. (Mr Worthington) 1010 (i).
See 'Esquimalt,' 'Militia.'
Halifax Customs House, Repairs, Payments *re*: Ques. (Mr. Crosby) 3672 (ii).
Halifax Dom. Building, Improvements: in Com. of Sup., 574 (i).
Halifax Harbour Gun Practice, Res. from Fishermen: Remarks (Mr. R. L. Borden) 4714 (iii).
Halifax Harbour Master, Notification *re* Vacancy, Apptmt. &c.: Ques. (Mr. Crosby) 2430 (ii).
Halifax Increased Accommodation I. C. R.: in Com. of Sup., 2883 (ii).
Halifax and Liverpool SS. Subvention: in Com. of Sup., 8809 (v).
Halifax Post Office, Reconstruction, &c.: Ques. (Mr. Crosby) 3483 (ii).
Hamilton, Waterloo and Guelph Ry. Co.: *See* 'B. No. 79.'
Hampton Breakwater Extension: in Com. of Sup., 992 (i).
Hansard, Analytical Index, Expenditure *re*: Ques. (Mr. Foster) 2138 (ii).
Hansard Debates, Omission from: Remarks (Mr. Armstrong) 7880 (v).
See 'Debates,'
Harbour Commissioners of Montreal: *See* 'B. No. 191.'
Harbours and Rivers, Bridge Work, Generally: in Com. of Sup., 4731 (iii).
Harbours and Rivers—B. C.: in Com. of Sup., 4276, 4715 (iii).
—— Man.: in Com. of Sup., 4254 (iii).
—— N. B.: in Com. of Sup., 2697, 3391 (ii).
—— N. S.: in Com. of Sup., 976, 992 (i).
—— Ont.: in Com. of Sup., 3455, 3833 (ii).
—— P. E. I.: in Com. of Sup., 2693 (ii).
—— Que.: in Com. of Sup., 3862, 4210 (iii).
—— Sask. and Alberta: in Com. of Sup., 4272 (iii).

Harland and Wolff Shipbuilders, Rep. *re* Investigation: Remarks (Mr. Monk) 1363 (i).
Harmony-Elmira Branch Ry., P. E. I.: in Com. of Sup., 3063 (ii).
Harrington Harbour Wharf: in Com. of Sup., 3906 (ii).
Harriston Public Building: in Com. of Sup., 7500 (v).
Hartland Public Building: in Com. of Sup., 582 (i).
Hatcheries and Breeding Establishments for Fish: in Com. of Sup., 5750 (iii).
Hawkesbury Bridge, Ottawa River: in Com. of Sup., 6151 (iv).
Hay and Wood Permits from Dom. Lands, Man., Amount collected, &c.: Ques. (Mr. W. H. Sharpe) 3678 (ii).
See 'Wood.'
Heating and Lighting Contracts in Public Buildings: Ques. (Mr. Worthington) 1203 (i).
See 'Pub. Works—Ottawa.'
Hecla Island Wharf: Remarks (Mr. Bradbury) in Com. of Sup., 4271 (iii).
Herring Fisheries in Charlotte, Quantity Packed, Value, &c.: Ques. (Mr. Jameson) 1782 (i).
See 'Fisheries.'
Herring Fisheries, Transportation to U. S. in Canadian or American Boats: Ques. (Mr. Jameson) 1777 (i).
'Hestia,' Str., Wreck, Condition of Proprietor Light Buoy: Ques. (Mr. Monk) 130 (i).
——— M. for Cor. (Mr. Daniel) 290 (i).
——— Inquiry for Papers (Mr. Daniel) 1880 (i).
See 'Life Saving,' 'Old Proprietor.'
Highland Cadet Corps, Montreal, Free Imports of Military Clothing, &c.: M. for Cor.* (Mr. Worthington) 3495 (ii).
Highways Protection, I. C. R.: in Com. of Sup., 2882 (ii).
Hillsborough Public Building: in Com. of Sup., 587 (i).
Historical Manuscripts Commission, Meetings, &c.: Ques. (Mr. Paquet) 790 (i).
Hodgins Investigations, Counsel Fees: Ques. (Mr. Lennox) 7064 (iv).
See 'G. T. P.'
Holden, Clara Louise, Relief of: *See* 'B. 149.'
Holland Post Office Postal Boxes: Remarks (Mr. Staples) in Com. of Sup., 7865, 7881 (v).
Holland River Channel, Devil's Elbow to Bradford Station, Pet. *re*: Ques. (Mr. Lennox) 170, 626 (i).
——— Corrected Answer (Mr. Graham) 1099 (i).
Holsteins and Jersey Cattle at Experimental Farms: Ques. (Mr. Armstrong) 4309 (iii).
Homesteading Act Amt.: *See* 'B. No. 94.'
Homestead Entries in Man., 1908-9, Original Entrants, &c.: Ques. (Mr. Campbell) 1784 (i).
Homesteads Fees, &c., in Alberta and Sask., Amount collected from 1908: Ques. (Mr. Lake) 847 (i).
Homestead Lands open for Settlement, Number of Acres, &c.: Ques. (Mr. Foster) 270 (i).
Homestead Patents for S. W. ¼, 18-19-20, 2nd Meridian, Issue of: Ques. (Mr. Meighen) 6936 (iv).
Homestead Pre-emptions, Available for Settlers, &c.: Ques. (Mr. Magrath) 6935 (iv).
Homestead Pre-emptions, Total Acreage in Alta and Sask., Receipts, &c.: Ques. (Mr. Lake) 2951 (ii).
Homesteads and Pre-emptions, Total Acreage sold since 1908: Ques. (Mr. Lake) 275 (i).
Homesteading on Sections 34, Twp. 12, Settlement Duties, &c.: Ques. (Mr. Staples) 4080 (iii).
Homesteads for Women, &c.: Remarks (Mr. Roche) in Com. of Sup., 8488 (v).
Horse-Breeding for Military Purposes, &c.: Ques. (Mr. Worthington) 843 (i).
Horses exported from Ont. into N. W. Ter., Disinfecting stockyards: Remarks (Mr. Campbell) 4812 (iii).
——— Remarks (Mr. Campbell) on M. for Sup., 4209 (iii).
Horse Racing: *See* 'B. Nos. 6, 81.'
Horse-racing Regulations: Remarks (Mr. Wallace) 6617 (iv).
Hours of Labour on Public Works: *See* 'B. No. 21.'
See 'Labour.'
Hours of Ry. Men: *See* 'B. No. 66'
House of Commons Act Amt.: *See* 'B. No. 60.'

HOUSE OF COMMONS.
Ash Wednesday Adjournment: M. (Sir Wilfrid Laurier) 3057 (ii).
Bellechasse Controverted Election, Petition: Announcement (Mr. Speaker) 3476 (ii).
Christmas Adjournment: M. (Sir Wilfrid Laurier) 923, 1298 (i).
Controverted Election Petitions, Certificate of Judges: Presented (Mr. Speaker) 1, 21 (i).
——— P. E. I., Certificate of Judges: Presented (Mr. Speaker) 256 (i).
Dual Representation in H. of C., Remarks (Mr. Campbell) 6802 (iv).
Dufferin, Electoral District, Representations of: Notice (Mr. Sproule) 521 (i).
——— Notification (Mr. Speaker) 620 (i).
——— Certificate of Election: Notification (Mr. Speaker) 1731 (i).
——— Date of: Remarks (Mr. Sproule) 623 (i).

HOUSE OF COMMONS—*Con.*
Easter Adjournment: M. (Sir Wilfrid Laurier) 5688 (iii).
Essex Electoral District, Certificate of Election: Notification (Mr. Speaker) 620 (i).
House of Commons and Senate Officials residing in Buildings, Estimate of Rents, &c.: M. for Ret.* (Mr. Blain 1023 (i).
——— Inquiry for Ret., 3058, 3296 (ii).
House of Commons, Corridors, Coloured Clergyman ejected: Remarks (Mr. Crosby) 7182 (iv).
Internal Economy Commission: Presented (Sir Wilfrid Laurier) 96 (i).
Library: in Com, of Sup., 8802 (v).
Library of Parlt.: Rep. presented (Mr. Speaker) 5 (i).
Mar. Provs. Representation in H. of C., Memorials, &c.: M. for Copy (Mr. Warburton) 644 (i).
Mar. Provs., Representation in H. of C., Pet. *re* B.N.A. Act.: Prop. Res., 2718 (ii).
Member introduced, 413, 1001 (i).
Members, Names of 221 *re* Dom. Statutes: M. for Ret.* (Mr. Campbell) 1547 (i).
Middlesex, W., Electoral District, Certificate of Election: Notification (Mr. Speaker) 413 (i).
N.S. Representation in H. of C., Amt. in B.N.A. Act: Ques. (Mr. Jameson) 1965 (ii).
Ottawa and Quebec East Electoral Districts, Decision of Prime Minister: Remarks (Mr. Jameson) 413 (i).
——— Remarks (Mr. Campbell) 1446 (i).
——— Resignation of Prime Minister, 1689 (i).
——— Vacancy: Notification (Mr. Speaker) 1729 (i).
Ottawa and Quebec East, Representation, Cor. in Toronto 'World': Remarks (Mr. Sproule) 521 (i).
——— Ques. *re* Disposal of Protests by Speaker, 802 (i).
——— on Ques. of Priv. (Mr. Meighen) Authorities quoted (Mr. Speaker) 833 (i).
——— Amt. (Mr. Meighen) to Com. of Sup., 1305; Neg. (Y. 61; N. 90) 1329 (i).
Ottawa Electoral District, Judgment *re*: Notification (Mr. Speaker) 3476 (ii).
Proportional Representation in the House of Commons: M. for Sel. Com. (Mr. Monk) 136 (i).
——— M. (Sir Wilfrid Laurier) for Com., 429 (i).
Restaurant, House of Commons, Apptmt. of Com.: M. (Mr. Pugsley) 376 (i).

HOUSE OF COMMONS—*Con.*
Rules of the House: Prop. Res. (Mr. Lewis) 1536, 1545 (i).
——— Progress *re*: Remarks (Mr. Lewis) 4307, 5893 (iii).
——— Special Committee *re*: M. (Sir Wilfrid Laurier) 1299 (i).
——— M. (Sir Wilfrid Laurier) for Special Com., 1441 (i), 8365 (v).
——— Report laid on Table (Sir Wilfrid Laurier) 7867 (v).
——— Remarks (Mr. J. A. Currie) 7527 (v).
Saturday Sittings of House: M. (Sir Wilfrid Laurier) 8110 (v).
Sessional Employees, H. of C., Number in Jan.: Ques. (Mr. Best) 4514, 5001 (iii).
——— M. for Ret.* (Mr. Best) 5502 (iii).
Sessional Indemnities: in Com. of Sup., 7771 (v).
Sessional Messengers, Instructions given by Mr. Speaker Blanchet: M. for Copies* (Mr. Monk) 2298 (ii).
Staff Reorganization: Papers laid on Table (Sir Wilfrid Laurier) 6389 (iv).
——— Remarks (Mr. J. A. Currie) 7071 (iv), 7520 (v).
——— M. to disch. Order (Sir Wilfrid Laurier) 7872 (v).
——— Notice (Mr. Speaker) to withdraw, 7977 (v).
——— Staff Increases: M. (Mr. Fielding) 8830 (v).
Stenographers for Committees, Emplymt. of, Payments to, &c.: Ques. (Mr. Tolmie) 8677 (v).
Vacancies in Electoral Districts: Notification (Mr. Speaker) 2 (i).
Voters' Lists for Thunder Bay, &c., Total Cost of Revision, &c.: Ques. (Mr. Boyce) 629 (i).
Hudson Bay Insurance Co.: *See* 'B. No. 43.
Hudson Bay Ry., Surveys, &c.: in Com. of Sup., 3067 (ii), 8820 (v).
——— Estimates, &c.: Statement Read (Mr. Graham) 3206 (ii).
——— Number of Acres of Land sold: Ques. (Mr. Foster) 2144 (ii).
——— Par. in Newspapers *re* Obstructions: Remarks (Mr. MacNutt) 7187 (iv).
'Hudson' Str., Purchase of by Govt.: Ques. (Mr. Daniel) 4518 (iii).
Hungry Bay Dyke, Macadamizing Roads: in Com. of Sup., 3122, 3123 (ii).
Hunting and Homicide: *See* 'B. No. 71.'
Hydro-Electric Legislation, Disallowance: Inquiry for Rep. (Mr. R. L. Borden) 7291 (iv). *See* 'Disallowance.
Hydrographic Surveys: in Com. of Sup., 8511 (v).

Hydrographic Surveys, Irrigation Report: Presented (Mr. Oliver) 5103 (iii).
Icebreakers and Govt. Steamers: in Com. of Sup., 8514 (v).
Icebreakers, Thunder Bay District: in Com. of Sup., 8526 (v).
Ile Verte Wharf: in Com. of Sup., 3906 (ii).
Immigration Act Amt.: *See* 'B. Nos. 102, 135.'
IMMIGRATION.
Agencies: in Com. of Sup., 5729 (iii).
Agents, Names, Addresses, Salaries, &c.: M. for Ret.* (Mr. U. Wilson) 171 (i).
—— Inquiry for Ret. (Mr. U. Wilson) 2222, 2797 (ii).
Agents in Belgium, Reps. *re*: M. for Copies* (Mr. Paquet) 1022 (i).
Agents in Canada and G. B., Salaries, &c.: in Com. of Sup., 8195 (v).
Agents in France, Names, Salaries, &c.: Ques. (Mr. Paquet) 101 (i).
—— Total Expenditure, Rep. of Mr. Wiallard: Ques. (Mr. Monk) 790 (i).
Canadians entering U. S., Action of U. S. Immigration Agents: Par. in Ottawa 'Citizen' (Mr. Schaffner) 1101 (i).
Emigration from Canada, System of Record Keeping: Ques. (Mr. U. Wilson) 268 (i).
Goby, Mrs., Application by U. S. Immigration Dept. for Deportation: M. for Cor.* (Mr. Boyce) 171 (i).
Immigration Buildings, Sask. and Alberta: in Com. of Sup., 5607 (iii).
Immigration Contingent Expenses: in Com. of Sup., 5729 (iii), 8207 (v).
Immigrants contributed by Five Nationalities, Total Number: Ques. (Mr. Foster) 128 (i).
Immigrants deported, Number, &c.: Ques. (Mr. C. A. Wilson) 1374 (i).
Immigration into Eastern Townships, Total Number, Agents, &c.: Ques. (Mr. Worthington) 637 (i).
Immigrants from Europe, Number for 1908, 1910: Ques. (Mr. Lewis) 7872 (v).
Immigrants located on Bay of Quinte Ry., Number, &c.: Ques. (Mr. U. Wilson) 7872 (v).
Immigrants at Medicine Hat, Facilities for Housing, &c.: Ques. (Mr. Magrath) 2294 (ii).
Immigration Official, Dr. Lavoie, Charges against: Ques. (Mr. Meighen) 8109 (v).
Immigration O.C.'s and Regulations: M. for Copies* (Mr. U. Wilson) 109 (i).
Immigrants at Quebec, Treatment by Officials: Remarks (Mr. Beattie) 6609 (iv).
—— Immigrant Buildings: in Com. of Sup., 926, 959 (i).
Immigration Salaries: in Com. of Sup., 8494 (v).
IMMIGRATION—*Con.*
Immigrants, Treatment *re* Deportations, &c.: Remarks (Mr. Macdonell) 6945 (iv).
Japanese Immigration from U. S. entering B. C.: Remarks (Mr. J. D. Taylor) in Com. of Sup., 239 (i).
Lethbridge Immigration Building: in Com. of Sup., 8188 (v).
Medical Inspection, Cor. since 1st Jan., 1908: M. for Copy* (Mr. Paquet) 1380 (i).
Naturalization Laws, Reply to Inquiry from Imp. Govt.: Remarks (Mr. R. L. Borden) 7291 (iv).
North Sydney Immigration Shed: in Com. of Sup., 577 (i).
SS. Passengers at St. John, N.B., Treatment of: Remarks (Mr. Lennox) 7976 (iv).
—— Letter of Supt.: Read (Mr. Oliver) 8579 (v).
Strathcona Immigration Building: in Com. of Sup., 8189 (v).
U. S. Immigration from Canada, Rep. of American Consul at Kingston: Ques. (Mr. Geo. Taylor) 431 (i).
U. S. Immigrants from, Remarks of Bruce Walker: Remarks (Mr. Herron) in Com. of Sup., 8202 (v).
Victoria Immigration Building, Cost of Construction, Maintenance, &c.: Ques. (Mr. Barnard) 1369 (i).
—— Number of Inmates, &c.: Ques. (Mr. Barnard) 2187 (ii).
Wakefield, W. A., Emplymt. by Immigration Dept.: Ques. (Mr. Roche) 5890 (iii).
Winnipeg Immigration Buildings: in Com. of Sup., 8185 (v).
Imperial Defence Conference, New Zealand and Australia Papers: Remarks (Mr. Foster) 206 (i).
—— Instruction to Canada's Representative: Remarks (Mr. Foster) 923 (i).
Imperial Conference, Distribution of French Edition: Ques. (Mr. Paquette) 276 (i).
—— Secretariat, Cor. *re* Formation, &c.: M. for Copy of Cor. (Mr. Foster) 388 (i).
—— Stmnt. of Cost, Conversion into Canadian Currency: Remarks (Mr. Monk) 856 (i).
—— Total Expenditure: Ques. (Mr. Monk) 639, 783 (i).
Imperial Export Co., Applications *re* Service between Can. and Australia: Ques. (Mr. Daniel) 1100 (i).
Improved Paper Machinery Co.: *See* 'B. No. 67.'
Incorporated Companies, Conference *re* Provincial and Federal Jurisdiction: Ques. (Mr. J. P. Turcotte) 6937 (iv).
Increased Facilities, I.C.R.: in Com. of Sup., 2946 (ii).

Incubators and Brooders, Total Number imported in Canada: M. for Ret.* (Mr. G. White) 414 (i).
——— Ques. (Mr. G. White) 169 (i).
Independent Order of Rechabites: *See* 'B. No. 112.'
Index to Hansard: Ques. (Mr. Foster) 2138 (ii).
Indian Act Amt.: *See* 'B. No. 141.'
INDIANS.
Agricultural Implements to Indians in Alberta: in Com. of Sup., 7857 (v).
Blackfoot Reserve, Medical Attendant: Remarks (Mr. Magrath) in Com. of Sup., 7853 (v).
——— Proposed Lease: M. for Cor.* (Mr. Magrath) 3170 (ii).
B. C. Indians, Salaries: in Com. of Sup., 7858 (v).
Chu-chu-way-ha Reserve, Instructions to Capt. Jemmet: Ques. (Mr. Burrell) 5499 (iii).
——— M. for Papers* (Mr. Burrell) 4315 (iii).
Garden River and Mississagua Indian Reserve, Construction of Trunk Road, Negotiations *re*: Ques. (Mr. Boyce) 635 (i).
Half-Breed Scrip Issue, Commission *re*: Ques. (Mr. Lake) 5931 (iv).
——— Location since Jan. 1910: Ques. (Mr. Bradbury) 6937 (iv).
Indian Affairs, Deptl. Salaries: in Com. of Sup., 345, 414 (i).
Indian Lands in Alberta, Disposal by Govt. on M. to adjn.: Remarks (Mr. Herron) 119 (i).
——— Irregularity of Discussion (Mr. Speaker) 119 (i).
Indian Lands in Algoma, Sale, Terms and Conditions, &c.: Ques. (Mr. Boyce) 635 (i).
Indian Lands, Total Number of Acres sold, Receipts, &c.: Ques. (Mr. Armstrong) 783 (i).
Indian Schools, Generally: in Com. of Sup., 7861 (v).
——— Industrial Schools, Govt. Policy *re*: Ques. (Mr. Lake) 6390 (iv).
——— Industrial School, Regina, Closing of: Ques. (Mr. Geo. Taylor) 6179 (iv).
——— La Butte Indian School, Payments to: Ques. (Mr. Geo. Taylor) 6179 (iv).
Indian Land Management Fund: in Com. of Sup., 7837 (v).
Indians, Man., Annuities, &c.: in Com. of Sup., 7848 (v).
——— Clothing: in Com. of Sup., 7851 (v).
——— General Expenses: in Com. of Sup., 7853 (v).
——— Grist Mills, &c.: in Com. of Sup., 7853 (v).
INDIANS—*Con.*
Indians, Hospitals: in Com. of Sup., 7850 (v).
——— Live Stock: in Com. of Sup., 7848 (v).
——— Medical Attendance: in Com. of Sup., 7849 (v).
——— Supplies to Destitute Indians: in Com. of Sup., 7849 (v).
——— N. B., Salaries: in Com. of Sup., 7846 (v).
——— N. S., Roads, Repairs, &c.: in Com. of Sup., 7845 (v).
——— Oka, Settlement of: Remarks: (Mr Wright) in Com. of Sup., 7844 (v).
——— Ont. and Que., Legal Expenses: in Com. of Sup., 7843 (v).
——— Ont. and Que., Medical Attendance: in Com. of Sup., 7835 (v).
——— Surveys: in Com. of Sup., 7837 (v).
Kitsilano Indian Reserve Sale: Remarks (Mr. Cowan) in Com. of Sup., 7859 (v).
Peigan Reserve, Open for Homesteading, Purposes, Disposal of Lands, &c.: Ques. (Mr. Herron) 6936 (iv).
——— M. for Ret.* (Mr. Herron) 172 (i).
——— Inquiry for Ret. (Mr. Herron) 1801 (i).
——— Remarks (Mr. Herron) in Com. of Sup., 7856 (v).
Pointe Bleue Indian Agent W. Donohue, Removal of, &c.: Ques. (Mr. Girard) 4515 (iii).
P. E. I., Relief, Seed Grain, &c.: in Com. of Sup., 7847 (v).
St. Peter's Indian Reserve, Surrender of: Remarks (Mr. Bradbury) in Com. of Sup., 348 (i).
See general heading.
Sioux Indians, Man.: in Com. of Sup., 7853 (v).
Swan Lake Indian Reserve, Medical Attendant: Remarks (Mr. Staples) in Com. of Sup., 7849 (v).
Watha Indian Reserve, Sale of Timber, &c.: Ques. (Mr. Wright) 843 (i).
Indiantown and Blackville Line, I.C.R.: in Com. of Sup., 2884 (ii).
Industrial Conditions, Increases in Wages, &c.: Ques. (Mr. Verville) 168 (i).
Industrial Disputes, Investigation of: *See* 'B. Nos. 23 and 198.'
Industrial Disputes B. 23: Remarks (Mr. Macdonell) *re* Discussion, 6941 (iv).
——— Personal Explanation (Mr. Macdonell) 8116 (v).
Industrial Disputes Act: in Com. of Sup., 8799 (v).
——— Legislation *re* Amt.: Ques. (Mr. Knowles) 1590 (i).

Industrial Schools for Indians, Govt. Policy *re*: Ques. (Mr. Lake) 6390 (iv).
See 'Indians.'
'Industry' Dredge, Total Cost, Date of Commencement of Work: Ques. (Mr. Foster) 1967 (ii).
Inland Revenue Act Amt.: *See* 'B. Nos. 9 and 131.'
Inland Revenue, Deptl. Rep.: Presented (Mr. Templeman) 7 (i).
—— Deptl. Salaries: in Com. of Sup., 229 (i).
—— Minor Revenues: in Com. of Sup., 1358 (i).
Innisfail Rural Mail Delivery: Remarks (Mr. Lennox) in Com. of Sup., 7865 (v).
Insects, Pests, &c.: *See* 'B. No. 20.'
Inspection and Sale Act Amt: *See* 'B. Nos. 40 and 54.'
Inspection Act (pure food) Amt. *See* 'B. No. 131.'
Inspection of Glassware in Milk Tests: *See* 'B. No. 184.'
Inspection of Meat: *See* 'B. No. 193.'
Inspection of Ships: *See* 'B. No. 15.'
Inspection of Vessels: *See* 'B. No. 47.'
Inspection and Sales Act, on M. (Mr. Currie) to introduce Bill: Ruling (Mr. Speaker) 620 (i).
Inspection and Sale Act, Trade and Commerce: in Com. of Sup., 5713 (iii).
Insurance Act Amt.: *See* 'B. No. 166.'
Insurance Bill, Consideration of: Remarks (Mr. Fielding) 5893 (iii).
—— Decision of Judge Leet, Appeal by Govt.: Ques. (Mr. Monk) 786 (i).
Intelligence Bureau *re* Fisheries and Customs: in Com. of Sup., 8547 (v).
I. C. R., Adjudication of Claims: *See* 'B. No. 151.'
I. C. R., Branch Lines: *See* 'B. No. 17.'
I. C. R., Damages by Fire: *See* 'B. No. 232.'
I. C. R.: Jurisdiction of Exchequer Court *re* Accidents: *See* 'B. No. 159.'
I. C. R. Pension Fund: *See* 'B. No. 19.'
INTERCOLONIAL RAILWAY.
Accidents, Number, Dates, &c.: M. for Ret.* (Mr. Stanfield) 5501 (ii).
Air-Brakes to Freight Cars: in Com. of Sup., 2881 (ii).
Annual Statement (Mr. Graham) on M. for Sup., 2798 (ii).
—— Reply (Mr. J. Haggart) 2840 (ii).
Beresford Subway: in Com. of Sup., 2872 (ii).
Board of Commissioners, Names, Dates of Apptmt. Salaries, &c.: Ques. (Mr. Paquet) 99 (i).
—— Additional Powers: Ques. (Mr. Macdonald) 627 (i).
INTERCOLONIAL RAILWAY—*Con.*
Board of Commissioners, Dismissals, &c.: in Com. of Sup., 3091 (ii).
—— Dismissals by Board, &c.: Ques. (Mr. Paquet) 128, 164 (i)
—— Dismissals by Board of Management, &c.: M. for Ret.* (Mr. Rhodes) 5501 (iii).
—— French Representation: Ques. (Mr. Lapointe) 7519 (v).
—— Rep. to Hse: Remarks (Mr. R. L. Borden) 2791 (ii).
Bridge Strengthening: in Com. of Sup., 2872 (ii).
Chatham, Diversion of Line to Wharf: in Com. of Sup., 2874 (ii).
Chaudiere Junction, Signals, &c.: in Com. Sup., 2873 (ii).
Derailments, Number during 1909: Ques. (Mr. Talbot) 2141 (ii).
—— M. for Ret.* (Mr. Talbot) 2298 (ii).
Dismissals for each month from Oct., 1908, to March, 1909: Ques. (Mr. S. Sharpe) 1776 (i).
Drawbars on Freight Cars: in Com of Sup., 2882 (ii).
Employees, Number in 1907-8-9: Ques. (Mr. Paquet) 835 (i).
Employees, Passes, Number issued for Sept., Oct. and Nov.: Ques. (Mr. Daniel) 2716 (ii).
Employees, Payments to: Names, Apptmts., &c.: M. for Ret.* (Mr. Jameson) 1021 (i).
Excursion Train from Truro to Tatamagouche, Receipt, &c: Ques. (Mr. Stanfield) 1367 (i).
Halifax Increased Accomodation: in Com. of Sup., 2883 (ii).
Highways Protection: in Com. of Sup., 2882 (ii).
Increased Facilities: in Com. of Sup., 2946 (ii).
Indiantown and Blackville Line: in Com. of Sup., 2884 (ii).
Management, Instructions *re* Alcoholic Goods: Remarks (Mr. Daniel) 1208 (i).
I.C.R., Sale of to other Ry. Cos.: Prop. Res. (Mr. Black) 2299 (ii).
Lac au Salmon Overhead Crossing: in Com. of Sup., 2884 (ii).
Locomotive and Carshops Machinery: in Com. of Sup., 2942 (ii).
Loggieville Improvements: in Com. of Sup., 2885 (ii).
Low Rates: Inquiry for Information (Mr. R. L. Borden) 8481 (v).
McKenzie, Mr. Calvin, Emplymt. on I.C.R., Absence, &c., Ques. (Mr. Stanfield) 3733 (ii).
Moncton Cut-off: in Com. of Sup., 2933 (ii).

INTERCOLONIAL RAILWAY—*Con.*
Moncton Locomotive and Car Shops: in Com. of Sup., 2933 (ii).
Original Construction: in Com. of Sup., 2943 (ii).
Passes, alleged to be stolen, Prevention of: Ques. (Mr. Rhodes) 3292 (ii).
Passes, Sale and Distribution, Padded Pay Lists on Windsor Branch: M. for Papers* (Mr. Foster) 801 (i).
—— Inquiry for Ret. (Mr. Foster) 2634 (ii).
Passes from 1908 to 1909, Names, &c.: M. for Ret.* (Mr. Stanfield) 276 (i).
——Inquiry for Ret. (Mr. Stanfield) 4812 (iii).
Pintsch Gas, Apparatus: in Com. of Sup., 2943 (ii).
Purchasing Agent, Name, &c.: Ques. (Mr. Stanfield) 272 (i).
Repairs to Car No. 37: Ques. (Mr. Emmerson) 2286 (ii).
Riviere du Loup, Coal Shed, Erection of: Ques. (Mr. Gauvreau) 4128 (iii).
—— Crossing Protection *re*: Ques. (Mr. Gauvreau) 1778 (i).
—— Engine House: in Com. of Sup., 2945 (ii).
—— Workshops, Electrical Development, &c.: Ques. (Mr. Gauvreau) 6182 (iv).
Robinson's Crossing Subway: in Com. of Sup., 2945 (ii).
St. John Increased Accommodation: in Com. of Sup., 2945 (ii).
Ste. Rosalie Improvements: in Com. of Sup., 2946 (ii).
Safety of Travel: Remarks (Mr. Jameson) 2278 (ii).
Side Ladders for Box Cars: in Com. of Sup., 2945 (ii).
Sleeping Cars, Tenders *re* Construction, &c.: Ques. (Mr. Emmerson) 4847 (iii).
—— Contract *re* Construction with Silliker Car Co.: Ques. (Mr. Stanfield) 5105 (iii).
—— Instructions to Sleeping Car Conductors *re* Residence: Ques. (Mr. Lapointe) 4512 (iii).
Standard Pay for Machinists: Ques. (Mr. Stanfield) 259 (i).
Sydney Mines Diversion: in Com. of Sup., 2946 (ii).
Train Service between Pictou and Oxford Junction, &c.: M. for Papers* (Mr. Rhodes) 3171 (ii).
Water on Passenger Trains, Filtering, &c.: Remarks (Mr. Black) on M. for Sup., 1303
Windsor Junction and Dartmouth, Change of Service: Remarks (Mr. R. L. Borden) 332, 343 (i).
—— Explanation (Mr. Graham) 344 (i).

INTERCOLONIAL RAILWAY—*Con.*
Wire Fencing, Tenders for 1909, &c.: Ques. (Mr. Wilcox) 1974 (ii).
—— M. for Ret.* (Mr. Wilcox) 2150 (ii).
See 'Govt. Rys.' 'P.E.I.' 'Railways,' &c.
Interest Act Amt.: *See* 'B. Nos. 8, 73, 122.'
Interest by Banks: *See* 'B. No. 57.'
INTERIOR.
Becher, Chas. D. T., Issue of Homestead Patent: Ques. (Mr. Meighen) 7290 (iv).
Brandon Agency, Number employed, Absence, &c.: Ques. (Mr. Lake) 2950 (ii).
Coal, Timber and Indian Lands in Alberta, &c., Revenue *re* Royalties, &c.: M. for Ret.* (Mr. McCarthy) 414 (i).
Coal and Timber Lands alienated from the Crown, Total Acreage: Ques. (Mr. Campbell) 5560 (iii).
Compensation to Alberta and Sask. *re* Public Lands, &c.: Ques. (Mr. Lake) 3291 (ii).
Dom. Lands Offices, Alberta and Sask., Aggregate Revenues: Ques. (Mr. Lake) 3290 (ii).
Dom. Lands Salaries: in Com. of Sup., 8488 (v).
Dom. Lands, Total Acreage of Arable Lands: Ques. (Mr. Macdonell) 2925 (ii).
Half-Sections in Man., N. ½, &c., Sale of: Ques. (Mr. W. H. Sharpe) 5889 (iii).
Hay and Wood Permits in Man., Amount collected, &c.: Ques. (Mr. W. H. Sharpe) 3678 (ii).
Homestead Entries in Man., 1908-9, Original Entrants, &c.: Ques. (Mr. Campbell) 1784 (i).
Homestead Fees, &c., in Alberta and Sask., Amount collected from 1908: Ques. (Mr. Lake) 847 (i).
Homestead Lands open for Settlement, Number of Acres, &c.: Ques. (Mr. Foster) 270 (i).
Homestead Patents for S.W. ¼, 18-19-20, 2nd Meridian, Issue of: Ques. (Mr. Meighen) 6936 (iv).
Homestead Pre-emptions, available for Settlers, &c.: Ques. (Mr. Magrath) 6935 (iv).
Homesteads and Pre-emptions, Total Acreage sold since 1908: Ques. (Mr. Lake) 275 (i).
—— Total Acreage in Alta. and Sask., Receipts, &c.: Ques. (Mr. Lake) 2951 (ii).
Homesteading on Section 34, Twp. 12, Settlement Duties, &c.: Ques. (Mr. Staples) 4080 (iii).
Homesteads for Women, &c.: Remarks (Mr. Roche) in Com. of Sup., 8488 (v).
Interior, Deptl. Contingencies: in Com. of Sup., 8194 (v).

INTERIOR—*Con.*
Interior, Deptl. Salaries: in Com. of Sup., 7767, 8194 (v).
Interior and Indian Affairs Deptl. Rep.: Presented (Mr. Oliver) 7 (i).
Leach, Mr., Duties *re* Dom. Lands: Remarks (Mr. Lake) in Com. of Sup., 8490 (v).
—— Emplymt. by Govt.: Ques. (Mr. Staples) 4081 (iii).
New Westminster District Lands, Disposal of contrary to Regulations, &c.: Ques. (Mr. J. D. Taylor) 3169 (ii).
Peace River District, Estimated Acreage of Arable Land, &c.: Ques. (Mr. Macdonell) 2924 (ii).
—— Portions opened up for Settlement: Ques. (Mr. Best) 4313 (iii).
Peace River Land Co., Disposal of Lands by Govt.: Ques. (Mr. Monk) 1535 (i).
Pincher Creek Sub-land Agency: Remarks (Mr. Herron) 8840 (v).
Pre-emption Payments, Notice *re* Interest, &c.: Ques. (Mr. Lake) 432 (i).
Printing, &c., *re* Dom. Lands: in Com. of Sup., 8493 (v).
Riding Mountain Timber Reserve, Removal of Squatters: Ques. (Mr. Roche) 1368 (i).
—— Remarks (Mr. Roche) in Com. of Sup., 8491 (v).
Sauvé, Mr. A., Claims for Homestead *re* S. A. Campaign: M. for Cor. (Mr. Boyer) 2032 (ii).
School Lands, Area sold at Regina, Fees, Revenue, &c.: Ques. (Mr. S. Sharpe) 432 (i).
Southern Alberta Land Co., Description of Areas under Agreement with Govt.: M. for Ret.* (Mr. McCarthy) 1686 (i).
Surrey, B.C., Land Sales, Dates and Terms: Ques. (Mr. J. D. Taylor) 2291 (ii).
Surveys in Twp. Nine, Man., Alterations, &c.: Ques. (Mr. Staples) 272 (i).
Turtle Mountain Reserve, Homesteading, &c.: Remarks (Mr. Schaffner) in Com. of Sup., 8492 (v).
—— Tree Planting, Expenditure *re*: Ques. (Mr. Schaffner) 5932 (iv), 6181 (iv).
Internal Economy Commission: Presented (Sir Wilfrid Laurier) 96 (i).
International Commission, St. John River, Obstructions, N.B.: in Com. of Sup., 6163 (iv).
International Fishery Commission, Regulations, &c., Legislation *re*: Ques. (Mr. J. D. Taylor) 3490 (ii).
International Fisheries Commission: Inquiry for Rep. (Mr. Jameson) 3059 (ii).
International Fisheries Regulations, Rep. *re*: Ques. (Mr. Henderson) 381 (i).
—— Remarks (Mr. Henderson) 1880 (i), 2153 (ii).
See 'Fisheries.'
International Waterways, Canal and Construction Co.: *See* 'B. No. 119.'
See 'Waterways.'
Inverness Broad Cove Mines Harbour: in Com. of Sup., 994 (i).
Inverness Harbour Improvements, Expenditures *re*: Ques. (Mr. Blain) 4513 (iii).
Iron Bounties: *See* 'B. No. 231.'
Iron and Steel Bounties, Legislation *re*: Remarks (Mr. Boyce) 4083 (iii).
Irrigation Act Amt.: *See* 'B. No. 186.'
James Bay and Eastern Ry. Co.: *See* 'B. No. 128.'
Jams and Jellies, Analyses by Inland Rev. Dept., Prosecutions *re*: Ques. (Mr. Broder) 3935 (ii).
Japanese Immigration from U. S. entering B.C.: Remarks (Mr. J. D. Taylor) in Com. of Sup., 239 (i).
Japan Trade Commission, Cor. Reps., &c., of Mr. W. T. R. Preston: M. for Copies (Mr. Monk) 328 (i).
Japan-United States Treaty, Safeguarding Canadian Rights: Remarks (Mr. Hughes) 5761 (iii).
'J. G. Witherbee' Tug, Purchase by Govt. from J. B. Kaine: Ques. (Mr. Geo. Taylor) 1975 (ii).
Joggin's Mines Breakwater: in Com. of Sup., 995 (i).
Johnson, Arthur, Certificate as Engineer, &c.: Ques. (Mr. Lancaster) 4844 (iii).
—— Ques. (Mr. Geo. Taylor) 3734 (ii).
Joliette Armoury: in Com. of Sup., 662 (i).
Jones, Hon. L. M., and F. T. Frost, Apptmts. to Senate: Ques. (Mr. Schaffner) 2189 (ii).
Judges' Act (Man. and Que.) Amt.: *See* 'B. No. 207.'
See 'Man. King's Bench.'
Judicial Apptmts. in N.S.: Remarks (Mr. R. L. Borden) 623 (i).
See 'B.C.'
Judicial Business, Montreal District: M. for Ret. (Mr. Monk) 1792 (i).
Judique Breakwater: in Com. of Sup., 995 (i).
Juniper Island, Stony Lake: in Com. of Sup., 3469 (ii).
Justice, Administraton of: in Com. of Sup., 8798 (v).
—— Deptl. Rep.: Presented (Mr. Aylesworth) 7 (i).
—— Deptl. Salaries: in Com. of Sup., 253 (i).

Juvenile Offenders, Number condemned in Can.: Ques. (Mr. C. A. Wilson) 1374 (i).
Kamloops to Fennels Tel. Line: in Com. of Sup., 6156 (iv).
Kamloops to Okanagan Valley, Telephone Line: in Com. of Sup., 6156 (iv).
Kamloops and Yellowhead Pass Ry. Co.: *See* 'B. No. 31.'
Kamouraska Wharf: in Com. of Sup., 3906 (ii).
Kelly, Wm. J., Kidnapping by U. S., Action of Can. Govt.: Remarks (Mr. Carvell) 851 (i).
Kemptville Public Building: in Com. of Sup., 7495 (v).
Kensington Wharf: in Com. of Sup., 3469 (ii).
——— Purchase by Govt.: Ques. (Mr. Boyce) 1783, 1970 (ii).
——— Remarks (Mr. Boyce) in debate on Budget, 2106 (ii).
——— Repairs, Recommendations *re*: Ques. (Mr. Boyce) 3736 (ii).
Kettle River Valley Ry. Co.: *See* 'B. No. 68.'
Kilmant and Shacleton, Application *re* Post Office: Remarks (Mr. Staples) in Com. of Sup., 6650 (iv).
Kincardine Public Building: in Com. of Sup., 7504 (v).
King, Chief Astronomer: *See* 'Astronomical.'
Kingsport Breakwater: in Com. of Sup., 995 (i).
Kingston Battery Soldiers, Payment *re* Services for Moving Pictures: Ques. (Mr. Edwards) 1193 (i).
Kingston Mills Bridge Tenders *re* Construction, &c.: Ques. (Mr. Edwards) 263 (i).
Kingston Post Office: in Com. of Sup., 7505 (v).
Kingston R. M. College: in Com. of Sup., 7505 (v).
See 'Militia.'
Kingston, Smith's Falls and Ottawa Ry. Co.: *See* 'B. No. 146.'
Kitsilano Indian Reserve Sale: Remarks (Mr. Cowan) in Com. of Sup., 7859 (v).
Kitchener, Lord, Cor. *re* Visit to Canada: Ques. (Mr. J. A. Currie) 7519 (v).
Kouchibouguac Harbour Breakwater: in Com. of Sup., 3392 (ii).
Krick, Mr. W. W., Govt. Inspector at Port Maitland, Date of Apptmt.: Ques. (Mr. Lalor) 835 (i).
Labelle Settlers Grievances: Remarks (Mr. Major) on M. for Sup., 8778 (v).
Labour Dept., Industrial Disputes Act: in Com. of Sup., 8799 (v).
——— Rent of Y. M. C. A. Building: Ques. (Mr. Geo. Taylor) 627 (i).
——— Rep.: Presented (Mr. King) 7 (i).
——— Salaries: in Com. of Sup., 235 (i).
Labour, Hours on Public Works: *See* 'B. No. 21.'
Labour, Hours on Public Works, Com. on B. 21: 1st Report presented (Mr. King) 1586 (i).
——— on M. (Mr. King) to conc. in 2nd Rep. of Com., 2887; Agreed to (Y. 114; N. 36) 2923 (ii).
Labourers' on Rys., Pay: *See* 'B No. 39.'
La Butte Indian School, Payments to: Ques. (Mr. Geo. Taylor) 6179 (iv).
Lac du Bonnet Fishing Leases, Applications, &c.: M. for Copies* (Mr. Campbell) 277 (i).
——— Letter from Mr. Wold: Read (Mr. Bradbury) 6720 (iv).
See 'Fisheries.'
Lachine Canal, Amount of Work *re* Repairs under Denis O'Brien: Ques. (Mr. Verville) 1964 (ii).
——— Basins and Wharfs: in Com. of Sup., 3103 (ii).
——— Carpenter Shop, Estimated Expenditure: Ques. (Mr. Verville) 627 (i).
——— Carpenter Shop, Number and Names of Employees, Dismissals, &c.: Ques. (Mr. Verville) 1006 (i).
——— Concrete Vertical Walls: in Com. of Sup., 3103 (ii).
——— Dismissals by Denis O'Brien, Promotion, &c.: Ques. (Mr. Verville) 1367 (i).
——— Pay Sheets, &c.: M. for Copies* (Mr. Verville) 1547 (i).
Lachine Canal, Douglas Fir, Quantity supplied, &c.: Ques. (Mr. Verville) 1368 (i).
——— Electric Machinery at Mill St. Station, Damages to, &c.: Ques. (Mr. Verville) 5103 (iii).
——— Labourers, Names of those paid out of vote of $3,100: Ques. (Mr. Verville) 2428 (ii).
Lachine Post Office, Tower Clock: in Com. of Sup., 667 (i).
Lachine Public Building, Heating Apparatus: in Com. of Sup., 667 (i).
Lachute Post Office, Completion and Opening: Remarks (Mr. Perley) 3137; 3483 (ii); 5689
Lac au Saumon Overhead Crossing: in Com. of Sup., 2884 (ii).
Lafontaine, Sir L. H., Monument: in Com. of Sup., 6160 (iv).
La Have River, Dredging: in Com. of Sup., 995 (i).
Lake Ainslie Boat Channel: in Com. of Sup., 995 (i).
Lake Aylmer Wharf, Stratford Centre: in Com. of Sup., 3907 (ii).
Lake Erie Signals, Pet. *re* Installation: Remarks (Mr. Marshall) 1600 (i).
——— Stmnt. Read (Mr. Brodeur) 1684 (i).
Lake Nipissing Canal to Monetteville, Completion of: Ques. (Mr. Arthurs) 1194 (i).
Lake Nipissing Flooded Lands Compensation, &c., Names, &c.: Ques. (Mr. Geo. Gordon) 2295 (ii).

Lake Nipissing Roller Dams, Total Cost, Damages, &c.: Ques. (Mr. Arthurs) 850 (i).
Lake Nipissing Water Level, Claims for Damages, &c.: in Com. of Sup. 6164 (iv).
Lake St. Peter Works, Foreman, Charges against, &c.: Ques. (Mr. J. D. Reid) 4517 (iii).
——Piers: in Com. of Sup., 8523 (v).
Lake St. Francis Protection Wall: in Com. of Sup., 3123 (ii)
Lake Winnipeg Wharf: in Com. of Sup., 4262 (iii).
(Mr. Campbell) in Sup., 8540 (v).
Lake Winnipegosis Fish Hatchery: Remarks
Lambton Barracks, Appropriation *re*: Ques. (Mr. Macdonell) 270 (i).
See 'Baby Farm B.'
Lameque Wharf Improvements: in Com of Sup., 3393 (ii).
Land Titles Act Amt.: *See* 'B. No. 125.'
Land Titles Act, Moneys received, &c.: M. for Ret.* (Mr. Macdonell) 1022 (i).
L'Ange Gardien Wharf: in Com. of Sup., 3862 (ii).
Langevin Block, Boilers, &c.: in Com. of Sup., 8176 (v).
'Lansdowne, Wreck of, Investigation *re*: Remarks (Mr. Daniel) in Com. of Sup., 8533 (v).
Laplante, Mr., Salary Increase: Remarks Mr. Gervais) in Com. of Sup., 8827 (v).
Laprairie Protection Wall: in Com. of Sup., 4221 (iii).
'La Revue Hebdomadaire,' French Edition: Ques. (Mr. Boyer) 3482 (ii).
Last Mountain Lake Improvements: in Com. of Sup., 4272 (iii).
——— Remarks (Mr. Lake) in Com. of Sup., 4731 (iii).
Latchford Dam, Montreal river: in Com. of Sup., 3471 (ii).
——— Contract *re*: Ques. (Mr. Wright) 3165 (ii).
Laurentian Insurance Co.: *See* 'B. No. 176.'
Laurie, Archibald, Relief of: *See* 'B. No. 147.'
Lawlor's Island Quarantine Station: in Com. of Sup., 576 (i).
Leach, Mr., Duties *re* Dom. Lands: Remarks (Mr. Lake) in Com. of Sup., 8490 (v).
——— Emplymt. by Govt.: Ques. (Mr. Staples) 4081 (iii).
Lead Ores, Bounty on: *See* 'B. No. 182.'
Leamington Public Building: in Com. of Sup., 7506 (v).
LeBel, Wenceslas, Emplymt. by Govt.: Ques. (Mr. Monk) 640 (i).
'Leebro' Str., Emplymt. by Govt., Expenditure *re*: Ques. (Mr. Cowan) 788 (i).
Les Eboulements Wharf: in Com. of Sup., 3907 (ii).
Legal Expenses *re* Fisheries: in Com. of Sup., 8543 (v).
Leitche's Creek Wharf: in Com. of Sup., 995 (i).
Lemieux, Ed., Payments to: Ques. (Mr. Girard) 8837 (v).
Lennox Island Indian Wharf: in Com. of Sup., 7847 (v).
Lennox Island, Port Hill Wharf: in Com. of Sup., 2694 (ii).
Leonardville, Deer Island Wharf Extension: in Com. of Sup., 3393 (ii).
Le Petit Débarquement: in Com. of Sup., 3907 (ii).
Lethbridge Immigration Building: in Com. of Sup., 8188 (v).
Lethbridge Post Office Accommodation: Remarks (Mr. Magrath) in Com. of Sup., 582, 941 (i), 7781 (v).
——— Representations *re*: Ques. (Mr. Magrath) 641 (i).
——— M. for Copies* (Mr. Magrath) 1380 (i).
——— Inquiry for Ret. (Mr. Magrath) 3682 (ii).
——— Remarks (Mr. Magrath) 8855 (v).
Lethbridge Post Office, Total Revenue for ten months, &c.: Ques. (Mr. Magrath) 3933 (ii).
Letellier Mail Service, Date of Contract, &c.: (Mr. Staples) 7290 (iv).
Level Crossings Across Rys.: *See* 'B. Nos. 4, 145.'
Level Crossings Protection, Mr. J. Murphy's Report *re*: Ques. (Mr. Stanfield) 1198 (i).
Lévis, Deep Water Wharf: in Com. of Sup. 6102 (iv).
——— Drill Hall: in Com. of Sup., 668 (i).
Lewes and Yukon River Improvements: in Com. of Sup., 4730 (iii).
Library, House of Commons: in Com. of Sup., 8802 (v).
Library of Parlt. Rep.: Presented (Mr. Speaker) 5 (i).
Licenses to Fishing Vessels: *See* 'B. No. 199.'
Life-Saving Station in Bay of Fundy, Equipment *re* Wreck of Str. 'Hestia': Ques. (Mr. Daniel) 107 (i).
See 'Hestia.'
Lighthouse and Coast Service: in Com. of Sup., 8523 (v).
Lightkeepers in N. S., Coal Supply: Stmnt. (Mr. Templeman) 8831 (v).
See 'Coal.'
Lightkeepers' Salaries: in Com. of Sup., 8523 (v).
——— Increase in: Ques. (Mr. Gauvreau) 1589 (i).

Lillie, Clifford Buell, Relief of: *See* 'B. No. 224.'
Lillooet River Obstructions, &c.: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4298 (iii).
Lilly, Wm., Homestead Pre-emption of S.W. quarter 32-7-5, &c.: Ques. (Mr. Staples) 6936 (iv).
Limerick to Gravelburg, Wood Mountain Telegraph Line: in Com. of Sup., 6154 (iv).
L'Institut de Notre-Dame des Missions: *See* 'B. No. 80.'
Linotype Machines, Removal of Duty; Ques. (Mr. Blain) 6391 (iv).
Lion's Head Wharf Repairs: in Com. of Sup., 3470 (ii).
Liquor Compounding, Fraudulent Charges *re*: Remarks (Mr. J. A. Currie) in Com. of Sup., 1336 (i).
Liscombe Harbour Wharf: in Com. of Sup., 995 (i).
Listowel Public Building: in Com. of Sup., 7506 (v).
Litchfield Breakwater: in Com. of Sup., 995 (i).
Little Anse Breakwater: in Com. of Sup., 995 (i).
Little River Breakwater Wharf: in Com. of Sup., 995 (i).
Little Tancook Island Breakwater: in Com. of Sup., 996 (i).
Live Stock Industry, Development of: in Com. of Sup., 7748 (v).
Lizotte, Luc, Emplymt. by Govt.: Ques: (Mr Monk) 641 (i).
Load Lines on Ships: *See* 'B. No. 10.'
Loans, Temporary, since June 1st, 1909: Ques. (Mr. Foster) 169 (i).
See 'Temporary.'
Lobster Canning Factories, Failure to send Returns, &c.: Ques. (Mr. Sinclair) 259 (i).
Lobster Cannery Licenses, Number issued: Ques. (Mr. Jameson) 1970 (ii).
Lobster Canning Plant, Names of Officers connected with: Ques. (Mr. Jameson) 3936 (ii).
Lobster Fisheries Investigation, Report *re*: Ques. (Mr. Daniel) 2149 (ii).
Lobster Fisheries Report: Presented (Mr. Sinclair) 7867 (v).
Lobster Fisheries Investigation: M. (Mr. Sinclair) to conc. in Rep. of Com., 8101, 8214 (v).
See 'Fisheries.'
Lockport, Queen Charlotte Island Wharf: in Com. of Sup., 4715 (iii).
Locomotive and Car Shops Machinery, I.C.R.: in Com. of Sup., 2942 (ii).
Loggie, A. & R., Amounts paid *re* Dredging: Ques. (Mr. Crocket) 2488 (ii), 5622 (iii).
See 'Bathurst.'
Loggieville Improvements: in Com. of Sup., 2885 (ii).
London and Lake Erie Ry. and Transportation Co.: *See* 'B. No. 91.'
Long Sault Rapids Dam. Application *re*: Ques. (Mr. J. D. Reid) 1194 (i).
—— Deputation *re* Building of a Dam: Remarks (Mr. J. D. Reid) 2060 (ii).
—— Par. in Toronto 'Globe': Ques. of Priv. (Mr. J. D. Reid) 5933 (iv).
Long Sault Rapids Power Co.: *See* 'B. No. 115.'
Lorneville Breakwater Wharf: in Com. of Sup., 3393 (ii).
Lower Argyle Wharf: in Com. of Sup., 996 (i).
Lunenburg Public Building: in Com. of Sup., 576 (i).
Lyons, Mr. Alex., Detention at Ellis Island: Remarks (Mr. Wallace) 8586 (v).
Macleod Post Office Building: Remarks (Mr. Herron) in Com. of Sup., 8189 (v).
McArthur, Frederick Joseph Gustin, Relief of: *See* 'B. No. 140.'
McConnell, Dr., Emplymt. by Govt.: Ques. (Mr. W. H. Sharpe) 443 (i).
McCormick Binders, Valuation *re* Importation into Canada: Ques. (Mr. Staples) 3491
McGee, Hon. D'Arcy, Monument: in Com. of Sup., 6159 (iv).
McGregor's Creek Protection Work: in Com. of Sup., 3470 (ii).
McKenzie, Mr. Calvin, Emplymt. on I.C.R., Absence, &c.: Ques. (Mr. Stanfield) 3733 (ii).
McKenzie, James H., Emplymt. by Inland Revenue Dept. at Toronto: Ques. (Mr. Foster) 3678 (ii).
McLean, A., Payments for Purchase of Wood: Ques. (Mr. Girard) 8836 (v).
McLeod, Alex., Payments to *re* Yukon trip: Ques. (Mr. W. H. Sharpe) 5890 (iii).
McNair's Cove Breakwater: in Com. of Sup., 996 (i).
McQuarrie, W. L., Apptmt. in Dom. Lands Office: Ques. (Mr. Boyce) 4081 (iii).
Mace's Bay Pier-head: in Com. of Sup., 3394 (ii).
Machinery Steel, Quantities imported for 1907-8: Ques. (Mr. Rhodes) 1015 (i).
Maganatawan Wharfinger, Apptmt., Salary, &c.: Ques. (Mr. Arthurs) 7289 (iv).
Magdalen Island and Pictou SS. Service, Tenders, Susbidy, &c.: Ques. (Mr. Stanfield) 7065 (iv).
Mahone Customs Collector, Dismissal of: Ques. (Mr. R. L. Borden) 6507 (iv).
Mails addressed to Street Numbers, Free Delivery, &c.: Remarks (Mr. J. D. Taylor) 8118 (v).
—— Ques. (Mr. J. D. Taylor) 7869 (v).

Mails between G. B. and Canada for last two months, Date of Closing, &c.: M. for Ret.* (Mr. Monk) 5501 (iii).

Mails between Montreal and Lower Provs., Delays, &c. Remarks (Mr. Emmerson) 8581 (v).

Mail Contracts with Capt, Noonan, Remuneration, &c.: Ques. (Mr. Edwards) 1379 (i).

Mail Delivery Free, Closing of Distribution Offices: Ques. (Mr. Armstrong) 1196 (i).

Mail Delivery Free in Sydney: Inquiry for Ret. (Mr. Maddin) 3137 (ii).

See 'Sydney.'

Mail Privileges to Members *re* Postal Regulations, &c.: Ques. (Mr. C. A. Wilson) 2146 (ii).

See 'Franking.'

Mail Services, Supts. of Ry.: *See* 'B. No. 197.'

Mail Subsidies and SS Subventions: in Com. of Sup., 5690 (iii), 8808 (v).

Malbaie (Gaspé) Boat Shelter: in Com. of Sup., 3907 (ii).

Main-a-Dieu Wharf: in Com. of Sup., 996 (i).

Maisonneuve Post Office: in Com. of Sup., 669 (i).

Manitoba Additional Judges: *See* 'B. No. 207.'

Manitoba Boundaries, on M. for Sup., 8131; Amt. 8141, neg. (Y. 63; N. 102) 8166 (v).

Manitoba Boundaries, Cor. with Dom. Govt. and Man. Govts., &c.: M. for Copy* (Mr. Molloy) 4315 (iii).

—— Cor., &c. with Man. Govt.: M. for Copies (Mr. Roche) 644 (i).

—— Extension, Legislation *re*: Ques. (Mr. Roche) 131 (i).

Man. Grain Act Amt.: *See* 'B. Nos. 49, 88.'

Manitoba Fisheries Commission Report, Changes, &c.: Remarks (Mr. Bradbury) 3391 (ii).

—— Ques. of Priv. *re* 'up to date' (Mr. Campbell) 2151 (ii).

—— on M. for Sup. (Mr. Bradbury) 2667, 2683 (ii).

—— Inquiry for (Mr. Bradbury) 3480 (ii).

—— Regulations, Amts re: Remarks (Mr. Bradbury) 4308 (iii).

Manitoba King's Bench, Arrears of Work, &c.: Ques. (Mr. A. Haggart) 4846 (iii).

See 'Judges.'

—— Remarks (Mr. A. Haggart) 5624 (iii).

Man. and Northwestern Ry. Co. of Can.: *See* 'B. No. 63.'

Manitoba School Lands, Sale of: Ques. (Mr. W. H. Sharpe) 4309 (iii).

—— Subsidy re School Lands: Ques. (Mr. Schaffner) 4310 (iii).

Manitoba and North Shore Ry. Co.: *See* 'B. No. 113.'

Manufacturers' Fire Insurance Co.: *See* 'B. No. 51.'

Marieville Public Building: in Com. of Sup., 678 (i).

MARINE.

Aids to Navigation, Construction: in Com. of Sup., 8525 (v).

Bass River and Little Dyke Lights, Supplies, Cost, &c.: Ques. (Mr. Stanfield) 2426 (ii).

B. C. Lighthouses, Number, Reduction of Salaries, &c.: Ques. (Mr. R. Smith) 384 (i).

—— M. for Ret.* (Mr. R. Smith) 643 (i).

Canadian Inland Marine, Number of Vessels, Dry Dock Aid, &c.: Ques. (Mr. Middlebro) 7514 (v).

Canning Wharf, Total Cost, Apptmt. of Wharfinger, &c. : Ques. (Mr. Geo. Taylor) 1969 (ii).

Coal Supply to Lighthouse Keepers in N. S.: Remarks (Mr. R. L. Borden) 8585 (v).

—— Stmt. (Mr. Templeman) 8831 (v).

Duncan Cove Life Boat Station: in Com. of Sup., 990 (i).

'Earl Grey,' Str., Names, &c. of Crew, Wages, &c.: Ques. (Mr. Stanfield) 3486 (ii).

Fiddle Reef Lighthouse Keeper, Salary Increase: Remarks (Mr. Burrell) in Com. of Sup., 8519 (v).

Giant's Tomb Island, Estimate of Timber for Sale, Tenders *re*: Ques. (Mr. Geo. Taylor) 4617 (iii).

Govt. Steamers, Names, Cost, Date of Construction, &c.: Ques. (Mr. Sinclair) 1536 (i).

—— M. for Ret.* (Mr. Sinclair) 1976 (ii).

Govt. Steamers purchased by Marine Dept. since 1896: Ques. (Mr. Blain) 3484 (ii).

Govt. Steamers, Tenders *re* Building: Ques. (Mr. J. A. Currie) 1004 (i).

'Hestia,' Str., Wreck, Condition of Proprietor Light Buoy: Ques. (Mr. Monk) 130 (i).

—— M. for Cor. (Mr. Daniel) 290 (i).

—— Inquiry for Papers (Mr. Daniel) 1880 (i).

See 'Life Saving.'

Hydrographic Surveys: in Com. of Sup., 8511 (v).

Icebreakers and Govt. Steamers: in Com. of Sup., 8514 (v).

Lake Erie Signals, Pet. *re* Installation: Remarks (Mr. Marshall) 1600 (i).

—— Stmnt.: Read (Mr. Brodeur) 1684 (i).

'Lansdowne,' Wreck of, Investigation *re*: Remarks (Mr. Daniel) in Com. of Sup., 8533 (v).

MARINE—*Con.*
Life-Saving Station in Bay of Fundy, Equipment *re* Wreck of Str. 'Hestia': Ques. (Mr. Daniel) 107 (i).
Lighthouse and Coast Service: in Com. of Sup., 8523 (v).
Lightkeepers Salaries: in Com. of Sup., 8523 (v).
——— Increase in: Ques. (Mr. Gauvreau) 1589 (i).
Marine and Fisheries, Deptl. Salaries: in Com. of Sup., 250 (i).
——— Rep.: Presented (Mr. Brodeur) 7 (i).
——— Sel. Com.: M. (Mr. Sinclair) to conc. in 6th Rep., 6606 (iv).
Ocean and River Service: in Com. of Sup., 8510 (v).
Old Proprietor Buoy Light, Defective Condition, &c.: Ques. (Mr. Daniel) 108 (i).
Oyster Culture: in Com. of Sup., 8545 (v).
Patrol Vessels for Northern Waters: in Com. of Sup., 8521 (v).
Pensions *re* Lighthouse Service: in Com. of Sup., 8528 (v).
Pilots' Association Fund, Receipts and Expenditure, &c.: Ques. (Mr. Delisle) 7517 (v).
Pintsch and Acetylene Gas, Accidents *re*: M. for Ret.* (Mr. Foster) 802 (i).
Port Stanley Life-Saving Station: Remarks (Mr. Marshall) in Com. of Sup., 3853 (ii).
Quebec Harbour, Ocean Merchant Vessels, Tonnage, &c.: Ques. (Mr. J. P. Turcotte) 6178 (iv).
Sailing Directions to Captains of Steamers: Remarks (Mr. Daniel) in Com. of Sup., 8533 (v).
Schools of Navigation: in Com. of Sup., 8518 (v).
Sea Gull Dock, Name of Supt., Rate of Remuneration, &c.: Ques. (Mr. Boyce) 106 (i).
Seal Cove Life Boats, N.B., Inspection *re* Condition, &c.: Ques. (Mr. Daniel) 2146 (ii).
Shipping Statistics, Number of Tons, &c.: Ques. (Mr. Sinclair) 444 (i).
Shipping Tonnage Registered in Canada, Number of Seamen, &c.: Ques. (Mr. Wallace) 5890 (iii).
Spencer's Island Lighthouse, Total Cost, Contract, &c.: Ques. (Mr. Rhodes) 3292 (ii).
Tonnage Tax imposed on Can. Vessels on Great Lakes by U. S.: Ques. (Mr. J. A. Currie) 1530 (i).
Wrecking Plant for B. C.: in Com. of Sup., 8519 (v).

MARINE—*Con.*
Wrecking Plants on Pacific and Atlantic Coasts, Tenders, Subsidies, &c.: Ques. (Mr. Marshall) 444 (i).
——— M. for Cor. (Mr. Geo. Taylor) 644 (i).
Wrecks on Lake Erie, Negligence *re* Signals: Remarks (Mr. Macdonell) 1597 (i).
——— Stmnt. read (Mr. Brodeur) 1684 (i).
Mar. Dredging and Construction Co., Date of Work at Gaspereaux, &c.: Ques. (Mr. Crocket) 2928 (ii).
——— Amounts paid to by Govt.: Ques. (Mr. Geo. Taylor) 849 (i).
See 'Gaspereaux.'
Mar. Provinces, Representation in H. of C., Pet. *re* Amt. to B.N.A. Act: Prop Res. (Mr. Kyte) 2718; (Mr. Turriff) 2730; (Mr. Warburton) 2735; (Mr. Daniel) 2746; (Mr. McCraney) 2756; (Mr. Crocket) 2761; (Mr. Richards) 2767; (Mr. Pugsley) 2768; (Mr. McKenzie) 2773; (Mr. Fraser) 2777; (Mr. Jameson) 2779; (Mr. Sproule) 2785; (Sir Wilfrid Laurier) 2788 (ii).
Markham Post Office Site, Cost of: Ques. (Mr. Wallace) 99 (i).
——— Completion, and Opening: Remarks (Mr. Wallace) 3137 (ii).
Martin Island, River Sydenham Protection Banks: in Com. of Sup., 3474 (ii).
Masset, Queen Charlotte Island Wharf: in Com. of Sup., 4715 (iii).
Masters and Mates Certificates: *See* 'B. No. 77.'
Matane Protection Pier: in Com. of Sup., 3907 (ii).
Maxwell, Jessie Maud Mary: *See* 'B. No. 144.'
Mayes Contract, Charges against Min. of Pub. Works: Ques of Order (Mr. Dep. Speaker) 589 (i).
See 'Bathurst,' &c.
Meat and Canned Foods Act Amt.: *See* 'B. No. 193.'
Meat, Inspection of: *See* 'B. No. 193.'
Megantic Public Building: in Com. of Sup., 700 (i).
Member introduced, 413, 1001, 1731 (i).
Mercer, R. G., Apptmt. as Supt. of Ry. Mail Service: in Com. of Sup., 5755 (iii).
Merchants Bank of Canada, Pension Fund: *See* 'B. No. 133.'
Merchants and General Insurance Co.: *See* 'B. No. 82.'
Mergers, Investigation of: *See* 'B. No. 101.'
Mess. from His Ex., Estimates for 1909-10: Read (Mr. Speaker) 154 (i).
——— Suppl. Estimates, 1910; Read (Mr. Speaker) 377 (i).
——— Suppl. Estimates: Read (Mr. Speaker) 2949 (ii), 5277 (iii).

Mess. from His Ex.: Suppl. Estimates, 1911: Read (Mr. Speaker) 7519 (v).
——— Internal Economy Commission: Read (Mr. Speaker) 97 (i).
——— Prorogation (Mr. Speaker) 8833 (v).
——— Supply Bill Read (Mr. Speaker) 5557 (iii).
Messenger in Aud. Gen.'s Office: *See* 'S. A. War.'
Metabetchouan Postmaster, Mr. Jean Gauthier, Removal, &c.: Ques. (Mr. Girard) 4515 (iii).
Meteghan River Breakwater, Amt. (Mr. Pugsley) in Com. of Sup., 996 (i).
Methylated Spirits: in Com. of Sup., 1344 (i).
Metropolitan Racing Association, Grant of Charter by Sec. of State: Ques. (Mr. Wallace) 849 (i).
See 'Race Track,' &c.
Michipicoten Docks, Plans, Estimated Cost, &c.: Ques. (Mr. Boyce) 783 (i).
Michipicoten Wharf: in Com. of Sup., 3471 (ii).
Middle Island, Port Medway Breakwater: in Com. of Sup., 999 (i).
Middlesex, W., Electoral District, Certificate of Election: Notification (Mr. Speaker) 413 (i).
Military Lands, Purchase of: *See* 'B. No. 181.'
Militia Pension Act Amt.: *See* 'B. No. 194.'
MILITIA.
Airships, Development of for Militia Purposes, Govt. Assistance, &c.: Ques. (Mr. T. Chisholm) 446, 1369 (i).
Annual Drill, Militia: in Com. of Sup., 8564 (v).
Arcand, T., Dismissal as Lightkeeper at Carousel: Ques. (Mr. Girard) 2288 (ii).
Armouries and Drill Halls, Contribution to Cost by Municipalities: Ques. (Mr. Worthington) 1534 (i).
——— M. for Ret.* (Mr. Worthington) 2149 (ii).
See 'Drill Halls.'
——— Man., Location, &c.: Ques. (Mr. Roche) 788 (i).
Armoury Grants: in Com. of Sup., 8571 (v).
Arms, &c., for Militia: in Com. of Sup., 8556 (v).
Army Service, Ottawa Corps at Quebec, Authority for employing Horses, &c.: Ques. (Mr. Worthington) 2289 (ii).
Artillery Horses, Purchased for Petawawa Camp, Govt. Policy: Ques. (Mr. Monk) 786 (i).
Artillery Re-armament, Reasons for: Ques. (Mr. J. A. Currie) 1371 (i).
Barriefield Camp, Objections to Site, Removal of Ranges, &c.: Ques. (Mr. M. Currie) 3934 (ii).
MILITIA—*Con.*
Brandon Drill Hall, Total Cost: Ques. (Mr. Worthington) 1776 (i).
Canadians appointed in Permanent Forces, Proportion &c.: Ques. (Mr. Worthington) 5498 (iii).
Canadian Artillery, 5th Regiment, Complaints *re* Armouries at Esquimalt, &c.: Ques. (Mr. Barnard) 2145 (ii).
Canadian Militia Officers, Dismissal, &c., Cor. *re* Courts of Inquiry, &c.: M. for Copy* (Mr. Worthington) 5501 (iii).
Cartwright, Sir Richard, Terms of Lease of Land, Timber, &c.: Ques. (Mr. Edwards) 2717 (ii).
See 'Frontenac.'
Charlottetown Drill Hall: in Com. of Sup., 580 (i).
De la Ronde, Major and Captain, Charges *re* Militia Frauds: Ques. (Mr. Worthington) 135 (i), 2288 (ii).
——— M. for Cor.* (Mr. Worthington) 414 (i).
——— Rep .of Justice Dept.: Ques. (Mr. Worthington) 5500 (iii).
Drill Halls and Armouries, Erection, Cost of Sites, Place for Construction, &c.: M. for Ret.* (Mr. Edwards) 1546 (i).
——— Inquiry for Ret. (Mr. Edwards) 5689 (iii).
See 'Armouries.'
Eastern Cavalry Brigade, Place of Training, Strength, Cost, &c.: Ques. (Mr. Worthington) 636 (i).
Eighteenth Regiment, Refund of Moneys *re* False Names on Pay List: Ques. (Mr. Girard) 6800 (iv).
See 'Savard,' 'Scott,' &c.
Engineers Services *re* Militia: in Com. of Sup., 8569 (v).
Esquimalt Armament, Cost of Transporting Guns, &c.: Ques. (Mr. Barnard) 1017 (i).
Esquimalt Battery Guns, Cor. *re*, M. for Copy* (Mr. Barnard) 3170 (ii).
Esquimalt Naval Station, Continuous Maintenance: Ques. (Mr. J. D. Taylor) 633 (i).
——— Dismantling of, Imp. conc.: Ques. (Mr. Barnard) 2292 (ii).
——— Negotiations *re* Transfer from Imp. Govt.: Ques (Mr. Worthington) 265 (i).
Forty-ninth Regiment, Apptmt. of Commanding Officer: Ques. (Mr. Northrup) 4311 (iii).
French, Sir John, Inspection of Militia Camps: Ques. (Mr. Hughes) 133 (i).
Frontenac County, Lands held by Govt. for Military Purposes, &c.: Ques. (Mr. Edwards) 1371 (i).

MILITIA—*Con.*

Frontenac County, Property leased to Sir R. Cartwright, Rental, &c.; Ques. (Mr. Edwards) 262 (i).

Garrison Artillery, Supply of Field Guns, &c.: Ques. dropped, 1790; on Ques. of Order (Mr. Foster) *re* asking by another Member, 1791; Ruling (Mr. Speaker) 1791, 1799 (i); Answered by Minister, 1800 (i).

Garrison Artillery Regiments, Number, Strength, &c.: Ques. (Mr. Barnard) 2145 (ii).

——— Supply of 12-pounder Guns: Ques. (Mr. Worthington) 1593 (i).

Gratuities *re* Militia Services: in Com. of Sup., 8571 (v).

Guelph Armouries: in Com. of Sup., 8169 (v).

Halifax and Esquimalt Navy Yards, Observations of Sir Wm. White *re* Condition: Remarks (Mr. R. L. Borden) 1802 (i).

——— Stmnt. read (Sir Frederick Borden) 1961 (ii).

——— Protection *re* Deterioration: Ques. (Mr. Worthington) 1010 (i).

Halifax Harbour Gun Practice, Res. from Fishermen: Remarks (Mr. R. L. Borden) 4714 (iii).

Highland Cadet Corps, Montreal, Free Imports of Military Clothing, &c.: M. for cor.* (Mr. Worthington) 3495 (ii).

Horse-Breeding for Military Purposes, &c.: Ques. (Mr. Worthington) 843 (i).

See 'Artillery.'

Joliette Armoury: in Com. of Sup., 662 (i).

Kingston Battery Soldiers, Payment *re* Services for Moving Pictures: Ques. (Mr. Edwards) 1193 (i).

Kingston R. M. College: in Com. of Sup., 7505 (v).

See 'R. M. C.'

Lambton Barracks, Appropriation *re*: Ques. (Mr. Macdonell) 270 (i).

Militia Camps, Instructions to: in Com. of Sup., 8573 (v).

Militia Clerks, Apptmt. without Examination, &c.: Ques. (Mr. Worthington) 1375 (i).

Militia Clothing, Fixed Life, Issue of New Material: Ques. (Mr. Worthington) 1018 (i), 2927 (ii).

Military Courts of Inquiry, Curtailment of Rights, &c.: Ques. (Mr. Worthington) 275 (i).

——— M. for Ret.* (Mr. Worthington) 2149 (ii).

Militia and Defence: in Com. of Sup., 8556 (v).

MILITIA—*Con.*

——— Deptl. Salaries: in Com. of Sup., 7767, 8573 (v).

Militia Expenditures *re* Fortifications, &c., Submission to Leader of Opposition: Ques. (Mr. Worthington) 1778 (i).

Militia Field Allowances, Expenses of Staff Officers: Ques. (Mr. Worthington) 1201 (i).

Militia Govt. Police *re* Armouries, &c.: Ques. (Mr. Worthington) 1594 (i).

Militia Harness and Saddlery, Tenders, &c., for 1909: M. for Ret.* (Mr. Worthington) 2149 (ii).

——— Ques. (Mr. Worthington) 1780 (i).

Militia Inspection, Pay, Rates of to Inspectors: Ques. (Mr. Worthington) 1535 (i).

Militia Medical Attendance, Govt. Allowance for Married Officers: Ques. (Mr. Worthington) 1595 (i).

Militia Pay and Aloowances, Regulations: Ques. (Mr. Worthington) 1377 (i).

Militia Properties: in Com. of Sup., 8571 (v).

Militia Provisions *re* Arms for active War Establishments, &c.: Ques. (Mr. Worthington) 842 (i).

Militia Regulations, Latest Edition, Date of Issue, &c.: Ques. (Mr. Worthington) 639 (i).

Militia Uniforms, Clothing, Free Importations, &c.: Ques. (Mr. Worthington) 2927 (ii).

See 'Highland,' &c.

Mobilization Equipment, Canadian System *re*: Ques. (Mr. Worthington) 1200 (i).

Monuments *re* Battlefields: in Com. of Sup., 8575 (v).

National Battlefields Commission, Purchase of Property in Quebec: Ques. (Mr. Lake) 3671 (ii).

——— Total Expenditures: Ques. (Mr. Monk) 787 (i).

Ordnance Corps, Ottawa, Lodging Allowance, Ottawa Collegiate Grounds, &c.: Ques. (Mr. Worthington) 1203 (i).

Ordnance Store, Kingston, Lease of Building from Clarified Milk Co., Repairs, &c.: Ques. (Mr. Edwards) 5781 (iii).

Ottawa Militia Stores Building: in Com. of Sup., 597 (i).

——— Damage by Fire, Value, &c.: Ques. (Mr. Worthington) 386 (i).

——— Insurance *re* Fire: Remarks in Com. of Sup., 967-975 (i).

——— Instructions to Dom. Police *re* Patrolling: Ques. (Mr. Worthington) 837 (i).

——— Loss by Fire to Clothing, &c.: Ques. (Mr. Sproule) 845 (i).

MILITIA—*Con.*
Pay and Allowances for Militia: in Com. of Sup., 8559 (v).
Pay Lists of 18th Regt., Personations, &c.: Ques.(Mr. Girard) 8837 (v).
Permanent Force, Annual Cost per Man, &c.; Ques. (Mr. Worthington) 1013 (i).
——— Cost of Maintenance, &c.: Ques. (Mr. Worthington) 1781 (i).
——— Increase of Establishments, &c.: Ques. (Mr. Worthington) 813 (i).
——— Number of Re-enlistments, &c.: Ques. (Mr. R. L. Borden) 3735 (ii).
——— Officers' Entertaining Allowance: Ques. (Mr. Worthington) 1530 (i).
——— Requirements *re* Instuctions, Payments, &c.: Ques. (Mr. Worthington) 1011 (i).
——— Schools of Instruction, Certificates issued, &c.: Ques. (Mr. Worthington) 1531 (i).
——— Total Strength and Expenditure, &c,: Ques. (Mr. Worthington) 266 (i).
Petawawa Military Review, Visit of Sir John French, Arrangements *re*: Ques. (Mr. G. V. White) 4129 (iii).
——— Remarks (Mr. G. V. White) 4129, 5279 (iii).
Port Arthur Armoury: in Com. of Sup., 8177 (v).
Provisional School Allowances: Ques. (Mr. Worthington) 1019 (i).
Quebec Barracks for Permanent Corps: in Com. of Sup., 975 (i).
Quebec Citadel Drill Shed: in Com. of Sup., 967 (i).
Quebec Command, Medical Officer, Payments, &c.: Ques. (Mr. Allen) 1789 (i).
Quebec Militia Ordnance Stores Building: in Com. of Sup., 967 (i).
Queen's Own Rifles, at Aldershot, Expenditure *re*: Ques. (Mr. Foster) 3678 (ii).
Rifles for Cadet Corps, Number, Pattern, Applications for, &c.: Ques. (Mr. Worthington) 265 (i).
Rifle Practices, Facilities *re*: Ques. (Mr. Worthington) 1594 (i).
Rifle Practices for Schools of Instruction at St. John: Ques. (Mr. Worthington) 1776 (i).
Rifle Ranges: in Com. of Sup., 8561 (v).
Rifle Ranges in Regina for N. W. M. Police: in Com. of Sup., 8802 (v).
Rifle Shooting, Standard *re* Emciency: Ques. (Mr. Worthington) 1595 (i).
Ross Rifle, Marks I and II**, Defects, Issue of, Contract re: Ques. (Mr. Worthington) 1532 (i).

MILITIA—*Con.*
Ross Rifle, Ques. of Order *re* Answer of Minister (Mr. Monk) 1534 (i).
——— Withdrawal by Minister, 1597 (i).
Ross Rifles, Mark II**, Contract *re*: Ques. (Mr. Worthington) 4311 (iii).
——— Number received, Contracted for, &c.: Ques. (Mr. Worthington) 5499 (iii).
——— Certificate *re* Bisley Team, Number issued, Names, &c.: Ques. (Mr. Worthington) 273 (i).
Ross Rifles, Dates of Issue of Special Marks: M. for Ret.* (Mr. Worthington) 154 (i).
——— Distribution of: Ques. of Privilege (Mr. Hughes) 338 (i).
——— Regulation of National Rifle Ass'cn.: M. (Mr. Hughes) to adjn., 4519 (iii).
——— Special Issue to Bisley Team, &c.: Ques. (Mr. Worthington) 134 (i).
——— Submission to N. R. Ass'cn re Bisley Meet: Ques. (Mr. Worthington) 4082 (iii)
——— Weight of, &c.: Ques. Mr. Talbot) 8678 (v).
Royal Canadian Dragoons, Transfer from St. Johns, Que.: Ques. (Mr. Worthington) 3491 (ii).
R.M.C. College Buildings, Change of Location, &c.: M. for Ret.* (Mr. Armstrong) 3169 (ii).
——— Servants' Quarters, Completion of, Total Cost, Occupation, &c.: Ques. (Mr. Edwards) 263 (i), 5781 (iii).
——— Riding Establishments, Dimensions, Cost, &c.: Ques. (Mr. Edwards) 381 (i).
St. Johns, Que., Govt. Lands used by Militia, &c.: Ques.: (Mr. Hughes) 3494 (ii).
——— Military Property, Valuation, Disposal, &c.: Ques. (Mr. Worthington) 3737 (ii).
St. Lambert Military School of Instruction, Purchase of Site, &c.: Ques. (Mr. Worthington) 3738 (ii).
Sarnia Armoury: in Com. of Sup., 8177 (v).
Savard, Lt.-Col., 18th Regt., Retention of Moneys from Capt. Talbot: Ques. (Mr. Girard) 8658 (v).
——— Sale of Uniforms of 18th Regt., &c.: Ques. (Mr. Girard) 6800 (v).
Scott, Col. B. A., Defaulting Payments, &c.: Ques. (Mr. Girard) 8836 (v).
——— Resignation from 18th Regiment, &c.: Ques. (Mr. Girard) 8109 (v).
Stanley Barracks, Purchase of Land *re*: Ques. (Mr. Wallace) 2952 (ii).
Sub-Target Rifle Machines, Number purchased, Total Cost, &c.: Ques. (Mr. Worthington) 1779 (i).
Sutherland Rifle Sights, Number contracted for, &c.: Ques. (Mr. Worthington) 1535 (i).

MILITIA—*Con.*
Talbot, Capt. Rene, Payment *re* Allowances for 1907: Ques. (Mr. Girard) 6800 (iv).
Tents, Average Cost, Tenders, &c.: Ques. (Mr. Worthington) 1779 (i).
—— M. for Ret.* (Mr. Worthington) 2149 (ii).
Topographical Surveys, Expenditure *re*: Ques. (Mr. Worthington) 1375 (i).
Toronto Barracks, Disposal of Site on Humber River: Ques. (Mr. Macdonell) 3167 (ii).
Toronto Drill Hall: in Com. of Sup., 8178 (v).
Wharfs transferred from P. W. Dept. to Marine Dept.: Remarks (Mr. R. L. Borden) in Com. of Sup., 3882 (ii).
Winnipeg Barracks, Completion, &c.: Ques. (Mr. Worthington) 1777 (i).
Milk Standards, Rep. *re*: Remarks (Mr. Cowan) in Com. of Sup., 1341 (i).
Milk Tests and Glassware: *See* 'B. No. 184.'
Milledgeville-Holderville, N.B., Mail Route, Tenders *re*: Ques. (Mr. Daniel) 4518 (iii).
Miminegash Harbour Repairs: in Com. of Sup., 2695 (ii).
Mines, Deptl. Salaries: in Com. of Sup., 336 (i).
Mines and Geological Survey: in Com. of Sup., 8553 (v).
Ministers of the Crown, Public Gifts, Acceptance of: Remarks (Mr. Boyce) on M. for Sup., 8785 (v).
Minnedosa Drill Hall: Remarks (Mr. Roche) in Com. of Sup., 8571 (v).
Mint, Royal, Total Cost, Estimated Cost, &c.: Ques. (Mr. Foster) 103 (i).
See 'Ottawa Mint.'
Mira River Wharfs: in Com. of Sup., 999 (i).
Mitchell Public Building: in Com. of Sup., 7507 (v).
Mobilization Equipment, Canadian System *re*: Ques. (Mr. Worthington) 1200 (i).
Moncton Cut-Off, I.C.R.: in Com. of Sup., 2933 (ii).
—— Locomotive and Carshops: in Com. of Sup., 2933 (ii).
Moncton Public Building: in Com. of Sup., 591 (i).
Moncton Wharf Enlargement: in Com. of Sup., 3394 (ii).
Mond Nickel Co., Ltd.: *See* 'B. No. 92.'
Monopolies, Investigation of: See 'B. No. 101.'
Montebello Wharf: in Com. of Sup., 3908 (ii).
Montmagny Mutual Fire Insurance Co.: *See* 'B. No. 51.'
Montreal Central Terminal Co.: *See* 'B. No. 44.'
Montreal Harbour Berths, Date of Location, &c.: Ques. (Mr. Monk) 5498 (iii).
Montreal Harbour Commission: *See* 'B. No. 191.'
Montreal, Kapitachuan and Rupert's Bay Ry. Co.: *See* 'B. No. 167.'
Montreal, Ottawa and Georgian Bay Canal Co.: *See* 'B. No. 58.'
Montreal Post Office, Enlargement: in Com. of Sup., 700 (i).
Montreal Post Office and Postal Stations, Reps., &c.: M. for Copies (Mr. Monk) 1581 (i).
Montreal Postal Station 'D': in Com. of Sup., 703 (i).
Montreal River, Contract *re* Improvements, Name, Arrangements, &c.: Ques. (Mr. Geo. Gordon) 1014 (i).
Montreal and Southern Counties Ry. Co.: *See* 'B. No. 169.'
Montreal Turnpike Trust, Stmnt. of Expenditure, Indebtedness, &c.: M. for Ret.* (Mr. Monk) 1580 (i).
Monuments *re* Battlefields: in Com. of Sup. 8575 (v).
Monuments, Erection of: in Com. of Sup., 6158 (iv).
Morning Sittings: M. (Sir Wilfrid Laurier) 6099 (iv).
Morrisburg Ferry and Dock Co.: *See* 'B. No. 177.'
Mossy River Dredging: Remarks (Mr. Campbell) in Com. of Sup., 4272 (iii).
Motions to Adjn., Rulings of Mr. Speaker: Personal Explanation (Sir Wilfrid Laurier) 126 (i).
Motions, Unopposed, Preparation by Depts.: Remarks (Mr. R. L. Borden) 1600 (i).
Motors injuring People: *See* 'B. No. 13.'
Motors, 'Use of' and 'Joy Rides': *See* 'B. No. 75.'
Mounted Police Barracks, Calgary, Application *re* Transfer to Ry. Cos.: Ques. (Mr. McCarthy) 1206 (i).
Mounted Police, Emplymt. by Alberta and Saskatchewan, Arrangements *re*: Ques. (Mr. Worthington) 843 (i).
Mounted Police Force, Salaries: in Com. of Sup., 8802 (v).
—— Rep.: Presented (Sir Wilfrid Lourier) 1730 (i).
—— Salaries: in Com. of Sup., 415 (i).
Mount Forest Public Building: in Com. of Sup., 7510 (v).
Mudie, Allen R., and Thos. G. Warwick, Claims *re* Section 24-38-10, &c.: M. for Cor.* (Mr. Lake) 1022 (i).
Mud Lake Bridge, Surveys, Estimates, &c.: Ques. (Mr. Go. Taylor) 3294 (ii).
Murray Bay Wharf: in Com. of Sup., 3908 (ii).
Music, Copyright of: *See* 'B. No. 41.'

Napanee River Dredging Contract, Total Expenditure, &c.: M. for Copies* (Mr. U. Wilson) 109 (i).
Napanee River Dredging: M. for Cor.* (Mr. U. Wilson) 1022 (i).
——— Remarks (Mr. U. Wilson) on M. for Sup., 1155 (i).
——— Dredging for coming Season: Ques. (Mr. U. Wilson) 1194 (i).
Natashquan Breakwater Pier: in Com. of Sup., 3909 (ii).
National Anthem, Singing *re* Naval Debate: Remarks (Mr. Burrell) 3208 (ii).
National Art Gallery, Ottawa: in Com. of Sup., 6158 (iv).
National Battlefields at Quebec: *See* 'B. No. 188.'
National Battlefields Commission, Purchase of Property in Quebec: Ques. (Mr. Lake) 3671 (ii).
——— Total Expenditure: Ques. (Mr. Monk) 787 (i).
National Park, Sask., Establishment of, &c.: Ques. (Mr. Neely) 790 (i).
National Resources Commission, Names of Members, &c.: Ques. (Mr. Armstrong) 1196 (i).
NATIONAL TRANSCL. RAILWAY.
Accidents, Circular *re* Explosives: Ques. (Mr. Robb) 4512 (iii).
Adjustment of Disputed Item, ref. to in Letter of Aud. Gen., O.C.'s, &c.: M. for Copies* (Mr. Lennox) 3495 (ii).
Amounts paid to Contractors, Number of Employees, &c.: Ques. Mr. Jameson) 164 (i).
——— Board of Arbitrators, Names, Contractors' Claims *re* Over-Classification: Ques. (Mr. S. Sharpe) 836 (i).
Classification, Resignation of Mr. Lumsden: (M.) Sir Wilfrid Laurier) for Special Com., 2330, 2949 (ii).
——— Apptmt. of Counsel *re* Lumsden Charges: M. to conc. in 3rd Rep., 4070; Amt. (Mr. Lennox) 4071, Neg. (Y. 66; N. 100) 4076 (iii).
——— Letters of Aud. Gen., &c.: Ques. (Mr. Lennox) 386 (i).
——— Letter to Mr. Lumsden *re* Mr. Doucet's Opinion: Ques. (Mr. Lennox) 839 (i)
——— Letter to Prime Minister: Inquiry for (Mr. R. L. Borden) 448, 622 (i).
——— Meeting of Com.: Remarks (Mr. Lennox) 3480 (ii).
——— on Order being called for Com.: Remarks (Sir Wilfrid Laurier) 2189 (ii).
——— Payments of Counsel Fees: M. (Mr. Macdonald) 8832 (v).
——— Payment of Counsel Fees: Ques. (Mr. R. L. Borden) 8841 (v).
NATIONAL TRANSCL. RAILWAY—*Con.*
——— on M. to adjn.: Remarks (Mr. R. L Borden 697 (i).
——— Classification, Lumsden Charges, Rep., Cor., &c.: M. for Copies* (Mr.R. L. Borden) 109 (i).
——— Return, Arrangement of Papers: Remarks (Mr. R. L. Borden) 522 (i).
——— Resignation: Inquiry for Papers (Mr. R. L. Borden) 258 (i).
——— Printing of Ret.: Remarks (Mr. R. L. Borden) 377 (i).
——— Delay in Printing Ret.: Remarks (Mr. R. L. Borden) 1302 (i).
——— Classification, 2nd Rep. of Com.: M. (Mr. Clarke) to conc., 3985 (iii).
——— 4th Rep. of Com.: (Mr. Lennox) Notice of M. to consider, 5820 (iii).
——— 4th Rep. of Com., on M. (Mr. Lennox) to consider, 6015 (iv).
——— 6th Rep. of Com.: M. (Mr. Geoffrion) to conc., 8737 (v).
——— Res. in Com. *re* Reporting to Hse. Remarks (Mr. R. L. Borden) 5196 (iii).
——— Error in Res. in Com. *re* Reporting to Hse.: Remarks (Mr. R. L. Borden) 5277 (ii).
——— Changes in Report: Ques. of Priv. (Mr. Lennox) 5562; on M. for Sup., (Mr. Barker) 5570 (iii).
Commissioners' Rep., Distribution of: Remarks (Mr. Lennox) 622 (i).
——— Inquiry for Ret. (Mr. Lennox) 3682
——— M. to print (Mr. Graham) 97 (i).
Commissioners, Profits *re* Supplies: Ques. (Mr. J. D. Taylor) 3165 (ii).
Commission, McIntosh, Mr., Promotion, &c., Certificate: M. for Cor., &c.* (Mr. Lennox) 1686 (i).
——— Ques. (Mr. Lennox) 839 (i).
Commissioners, Number of Members, Salaries, &c.: Ques. (Mr. Schaffner) 630 (i).
Construction, prop. Res. (Mr. Lennox) *re* Royal Commission, on M. for Sup. 8242 (amt.) 8261, Neg. (Y. 62; N. 105) 8341 (v).
Construction, &c.: in Com. of Sup., 3065 (ii), 5230, 5246 (iii), 8352 (v).
——— Names of Contractors, Estimated Expenditures, &c.: M. for Ret.* (Mr. Lennox) 2297 (ii).
——— Provision *re* Forfeits, corrected answer (Mr. Graham) 447 (i).
Counsel before Public Accounts Com., Names, Payments, &c.: Ques. (Mr. Rhodes) 4516 (iii).
Dates of Contract from Winnipeg to Quebec: Ques. (Mr. Monk) 165 (i).
——— Winnipeg and Superior Section, Expenditure, &c.: Ques. (Mr. Monk) 164 (i).

NATIONAL TRANSCL. RAILWAY—*Con.*
Estimated Cost of Excavations, on District 'F': Ques. (Mr. Lennox) 2285 (ii).
Hodgins, Major, Name of Ass't. Engineer in Aug. and Sept., 1907: Ques. (Mr. Lennox) 2284 (ii).
McArthur Contract, Name of Signatory: Ques. (Mr. Lennox) 3491 (ii).
Objections *re* Classifications, &c.: M. for Ret.* (Mr. Lennox) 3169 (ii).
O'Brien & Fowler, Contract to, &c., Estimated Quantities, Expenditure, &c.: Ques. (Mr. Lennox) 2715, 3490, 3291 (ii).
Portions surveyed by G.T.P., Change of Location: Ques. (Mr. Lennox) 2283 (ii).
Quebec Bridge Estimates, Discussion *re*: Remarks (Mr. Graham) in Com. of Sup., 3132 (ii).
Quebec Bridge, Expenditure *re* Surveys, &c.: Ques. (Mr. Lennox) 6392 (iv).
Tenders *re* St. Boniface Shop: Ques. (Mr. J. A. Currie) 8835 (v).
Tunnel east of Winnipeg, Length, &c.: Ques. (Mr. Lennox) 2284 (ii).
Wheat Shipments, &c.: Ques. (Mr. Schaffner) 1206 (i).
Winnipeg and Lake Superior Division, Completion of, &c.: Ques. (Mr. Lennox) 165, (i); 2284 (ii).
Naturalization Act: in Com. of Sup., 7865 (v).
Naturalization Laws, Reply to Inquiry from Imp. Govt.: Remarks (Mr. R. L. Borden) 7291 (iv).
Natural Resources, Conservation of: *See* 'B. Nos. 84, 115 and 185.' *See* 'Conservation.'
Naufrage Pond, Protecting Entrance: in Com. of Sup., 2695 (ii).
Naval Cadets, Instructions *re* Seamanship, Rate of Pay, &c.: Ques. (Mr. Jameson) 1971 (ii).
Naval Defence Conference, on M. to adjn.: Remarks (Mr. R. L. Borden) 6 (i).
—— Information from New Zealand: Remarks (Mr. Foster) 623 (i).
Naval Service of Canada, Establishment B. 95 (Sir Wilfrid Laurier) 1° m., 1732 (i).
Debate:
(Mr. R. L. Borden) 1738; (Mr. Jameson) 1762; (Mr. Monk) 1769; (i)); 2° m. (Sir Wilfrid Laurier) 2952 (ii).
Debate:
(Mr. R. L. Borden) 2979; (amt.) 2991; (Mr. Monk) 2991; (Sir Frederick Borden) 3002; (Mr. Lemieux) 3023; (Mr. Middlebro) 3210; (Mr. Fowke) 3236; (Mr. Burrell) 3245; (Mr. Clark) 3269; (Mr. Sproule) 3281; (Sir Frederick Borden) 3296; (Mr. Foster) 3344; (Mr. Macdonald) 3386, 3575; (Mr. Roche) 3619; (Mr. Sealey) 3649; (Mr. Goodeve) 3659; (Mr. Beauparlant) 3683; (Mr. T. Chisholm) 3697; (Mr. Congdon) 3720, 3748; (Mr. Hughes) 3760; (Mr. H. H. McLean) 3798; (Mr. Broder) 3822; (Mr. Warburton) 3946; (Mr. Cowan) 3962; (Mr. Ralph Smith) 3982 (ii); 3987 (iii); (Mr. Schaffner) 4012; (Mr. Rivet) 4036; (Mr. Edwards) 4061, 4083; (Mr. Béland) 4108; (Mr. Doherty) 4125, 4129; (Mr. Turgeon) 4161; (Mr. Barnard) 4182; (Mr. Devlin) 4197, 4316; (Mr. Magrath) 4328; (Mr. McKenzie) 4343 (Mr. Daniel) 4367; (Mr. Verville) 4383; (Mr. Best) 4392; (Mr. Demers) 4396; (Mr. Lewis) 4403; (Mr. M. Y. McLean) 4413; (Mr. Armstrong) 4423; (Mr. Geoffrion) 4444; (Mr. Blondin) 4453; (Mr. C. A. Wilson) 4457; (Mr. S. Sharpe) 4475; (Mr. Boyer) 4490; (Mr. Nantel) 4535; (Mr. C. Roy) 4570; (Mr. Crothers) 4583; (Mr. Dubeau) 4611; (Mr. Donnelly) 4618; (Mr. G. A. Turcotte) 4622; (Mr. Porter) 4639; (Mr. E. Roy) 4667; (Mr. E. Paquet) 4678; (Mr. Lachance) 4848; (Mr. Perley) 4863; (Mr. Crocket) 4873; (Mr. McAllister) 4879; (Mr. Herron) 4888; (Mr. J. Turcotte) 4893; (Mr. Marshall) 4910; (Mr. Molloy) 4913; (Mr. Clare) 4922; (Mr. Neely) 4931; (Mr. J. D. Reid) 4947; (Mr. Gervais) 4951; (Mr. Wm. R. Smyth) 4975; (Mr. Gladu) 4983; (Mr. Beattie) 4989; (Mr. Séguin) 4991; (Mr. Emmerson) 5003; (Mr. Lancaster) 5016; (Mr. Lalor) 5031; (Mr. J. A. Currie) 5042; (Mr. Lortie) 5069; (Mr. Owen) 5079; (Mr. Proulx) 5082; (Mr. Meighen) 5081; (Mr. MacNutt) 5091; Amt. (Mr. Monk) Neg. (Y. 18; N. 175) 5095; (Mr. Thoburn) 5097; Amt. (Mr. R. L. Borden) Neg. (Y. 74; N. 129) 5101; (Mr. Northrup) 5102; (Amt.) 5107; Neg. (Y. 78; N. 119) 5191; 2° agreed to (Y. 118; N. 78) 5193; (Mr. Staples) 5133; (Mr. W. F. Maclean) 5142; (Mr. Wallace) 5149; (Mr. Wm. Wright) 5152; (Mr. Lake) 5158; (Mr. Campbell) 5175 (iii).
In Committee:
(Sir Wilfrid Laurier) Amt., 7393-7495; (Mr. Sproule) 7396; (Mr. Northrup) 7396-7495; (Mr. R. L. Borden) 7396-7495; (Mr. W. F. Maclean) 7398; (Mr. Hughes) 7399; (Mr. J. A. Currie) 7400; (Mr. Aylesworth) 7403; (Mr. Congdon) 7417; (Mr. Lancaster) 7418; (Mr. Doherty) 7419; (Mr. Daniel) 7434; (Mr. Blain) 7435; (Sir Frederick Borden) 7440; (Mr. Geo. Taylor) 7441; (Mr. J. D. Reid) 7442; (Mr. H. H. McLean) 7443; (Mr. Boyce) 7444; (Mr. Armstrong) 7452; (Mr. J. Haggart) 7454; (Mr. Fielding) 7467; (Mr. Burrell) 7472; (Mr. Macdonald) 7474; (Mr. Edwards) 7481; 3° m., 7528 Agreed to (Y. 111; N. 70) 7590; (Mr. R. L. Borden) 7528; (Sir Frederick Borden) 7529; (Mr. Fielding) 7536; (Mr. Burrell) 7540; (Mr. Cowan) 7543; (Mr. Bristol) 7544, 7567; (Mr. Middlebro) 7545 (v).
Naval Defence Bill: Inquiry for (Mr. R. L. Borden) 520, 1100, 1600 (i).
—— on Order for Com.: Remarks (Mr. Doherty) 6948 (iv).

Naval Defence, Personal Eplanation (Mr. Edwards) *re* 'Globe' report, 4533 (iii).
—— Ques. of Priv. (Mr. King) *re* Sir Frederick Borden's Speech, correction, &c., 4710 (iii).
—— Ques. of Priv. (Mr. W. M. Martin) *re* 'Round Robin,' 4305 (iii).
—— Ques. of Priv. (Mr. Rutan) 5002 (iii).
—— Stmnt. *re*: Remarks (Mr. Foster) 855 (i).
Naval Defence, Further Documents: Inquiry for (Mr. R. L. Borden) 2797 (ii).
—— Inquiry for (Mr. Foster) 2931 (ii).
Naval Defence, Land Available for, &c.: Ques. (Mr. Schaffner) 1367 (i).
Naval Defence Programme, List of Experts, Technical Adviser, &c.: M. for Ret.* (Mr. Monk) 1546 (i).
Naval Service of Canada: *See* 'B. No. 95.'
Naval Service Appointments, Regulations *re*: Remarks (Mr. Emmerson) 8838 (v).
—— Construction, &c.: in Com. of Sup., 8495 (v).
—— Number of Applicants, Policy of Appointments: Ques. (Mr. Jameson) 1970 (ii).
—— Purchase of 'Rainbow,' Expenditure *re* 'upkeep,' &c.: Ques. (Mr. R. L. Borden) 3738 (ii).
See 'Niobe.'
Naval Service Dept., Salaries: in Com. of Sup., 8514 (v).
See 'Wireless.'
Naval Ships, Purchase by Govt., Cost, &c.: Ques. (Mr. Monk) 1972 (ii).
Navigable Waters Protection Act Amt.: *See* 'B. No. 103.'
Nechaco and Stewart River Dredging: Remarks (Mr. Burrell) in Com. of Sup., 4727 (iii).
Negro Clergyman in House: *See* 'Parliamentary Corridors.'
Neguac Wharf Extension: in Com. of Sup., 3394 (ii).
Nelson River Ry. Co.: *See* 'B. No. 52.'
N.B. Coal and Ry. Company's Accounts, Progress *re* Lawsuit: Ques. (Mr. Foster) 168 (i).
New Carlisle Wharf: in Com. of Sup., 3912 (ii).
New Harbour Breakwater: in Com. of Sup., 999 (i).
New London Breakwater: in Com. of Sup., 2695 (ii).
Newmarket Canal, Estimated Cost for 1909, Expenditure, &c.: Ques. (Mr. Wallace) 98 (i).
—— Expenditure: in Com. of Sup., 3106 (ii).
See 'Canals.'
New Mills Wharf: in Com. of Sup., 3395 (ii).
Newspaper Despatches from England, Subsidy: *See* 'B. No. 228.'
Newspaper, List *re* Advertising Public Works: Remarks: (Mr. Blain) 6141 (iv), 8818 (v); List read (Mr. Pugsley) 8825 (v).
Newspaper Postage to U.S., Classification, Amount paid, &c.: Ques. (Mr. Jameson) 1973 (ii).
New Westminster District Lands, Disposal of contrary to Regulations, &c.: Ques. (Mr. J. D. Taylor) 788 (i), 3169 (ii).
New Westminster, P.O., B.C., Basis of Apptmts., &c.: Ques. (Mr. J. D. Taylor) 2951 (ii).
New Westminster Penitentiary Fish Contract: *See* 'Penitentiary.'
New York State Canals, Letter from Supt. F. C. Stevens: Read (Mr. Perley) 5625 (iii).
—— Reciprocal Use of by Canadians: Remarks (Mr. Perley) on M. for Sup., 5202 (iii).
—— Authority for: Ques. (Mr. Perley) 4128 (iii).
Niagara Falls Armoury: in Com. of Sup., 7511, 8169 (v).
Nickel Deposits in Canada, Control of by Govt.: Ques. of Priv. (Mr. Conmee) 2490 (ii).
Nickel Mines in Canada, Evidence of Mr. A. Wilson *re* Control by Americans: Par. in Ottawa 'Free Press' (Mr. Geo. Gordon) 2189 (ii).
Nicola, Kamloops and Similkameen Coal and Ry. Co.: *See* 'B. No. 32.'
Nicoll, Emily Maud, Relief of: *See* 'B. No. 222.'
'Niobe,' Purchase of, without Parliamentary Authority: Remarks (Mr. Foster) 3481 (ii).
Nitinat Lake Outlet, Removal of Obstructions: in Com. of Sup., 4715 (iii).
Nootka Wharf: in Com. of Sup., 4716 (iii).
Norris, Mr. T. C., Payments to by Govt.: Ques. (Mr. Bradbury) 850 (i).
—— Payments to, for 1908-9. Ques. (Mr. Meighen) 2718 (ii).
North Atlantic Fisheries, Date of Meeting at The Hague, Counsel, &c.: Ques. (Mr. Macdonell) 271 (i).
North Atlantic Trading Co., Claims for Moneys, Fiat, &c. granted: Ques. (Mr. U. Wilson) 640 (i).
—— M. for Cor.* (Mr. U. Wilson) 644 (i).
—— Pet. of Right, Cor., &c.: M. for Copies (Mr. Monk) 1547 (i).
North Bay Post Office: Remarks (Mr. Geo. Gordon) in Com. of Sup., 940 (i).
—— Inspector: Remarks (Mr. Geo. Gordon) in Com. of Sup., 7863 (v).

N.E. ¼ Section, Section 11, Sale and Refunds, &c.: M. For Ret. (Mr. W. H. Sharpe) 5502 (iii).
Northern Empire Ry. Co.: *See* 'B. No. 154.'
Northern Mortgage Co. of Can.: *See* 'B. No. 33.'
Northern Quebec Colonization Ry. Co.: *See* 'B. No. 152.'
Northport Pile Wharf: in Com. of Sup., 999 (i).
North Pole Territorial Rights, Request of Capt. Bernier: Remarks (Mr. Hughes) 2711 (ii).
See 'Arctic.'
North Saskatchewan River, Channel Improvements: in Com. of Sup., 4273 (iii).
North Sydney Immigration Shed: in Com. of Sup., 577 (i).
North Thompson Valley Telegraph Line: in Com. of Sup., 6156 (iv).
North Toronto Free Postal Delivery: Remarks (Mr. Wallace) in Com. of Sup., 7864 (v).
'Northumberland' Dredge, Absence of Crew *re* Voting: Ques. (Mr. Stanfield) 4077 (iii).
—— Names of Employees, Total Expenses *re* Operating, &c.: Ques. (Mr. Rhodes) 4078 (iii).
Northwest Lands in Townships 52, 53 and 54, Terms of Sale: Ques. (Mr. Wallace) 1373 (i).
Norway Bay Wharf: in Com. of Sup., 3912 (ii).
N.S. Representation in H. of C., Amt. in B. N.A. Act: Ques. (Mr. Jameson) 1965 (ii).
Nyanza Wharf Extension: in Com. of Sup., 999 (i).
Oakville Harbour Dredging: Remarks (Mr. Henderson) in Com. of Sup., 4809 (iii), 6148 (iv).
Oaths: *See* 'B. Nos. 1 and 100.'
Obscene Literature: *See* 'Skill,' &c.
Ocean and River Service: in Com. of Sup., 8510 (v).
Offences against the Person: *See* 'B. No. 71.'
Oka Indians, Settlement of: Remarks (Mr. Wright) in Com. of Sup., 7844 (v).
Oka River Forest Reserve, Pet. *re* Drainage, &c.: Remarks (Mr. Campbell) 8582 (v).
Okanagan Lake Dredging: Remarks (Mr. Burrell) in Com. of Sup., 4724 (iii).
Old Age Pensions Act Amt.: *See* 'B. Nos. 155 and 212.'
Old Age Annuities: in Com. of Sup., 8811 (v).
See 'Finance.'
Old Proprietor Buoy Light, Defective Condition, &c.: Ques. (Mr. Daniel) 108 (i).
See 'Hestia.'
Ontario and Ottawa Ry. Co.: *See* 'B. No. 129.'
Order, Ques. of (Mr. Pugsley) *re* Speaking in Com., 4798; Ruling (Mr. Dep. Speaker) 4798 (iii).
Ordnance Corps, Ottawa, Lodging Allowance, Ottawa Collegiate Grounds, &c.: Ques. (Mr. Worthington) 1203 (i).
Ordnance Militia Stores Building, Instruction to Dom. Police *re* Patrolling: Ques. (Mr. Worthington) 837 (i).
Ordnance Store, Kingston, Lease of Building from Clarified Milk Co., Repairs, &c.: Ques. (Mr. Edwards) 5781 (iii).
Ore Deposits, Investigation, &c.: in Com. of Sup., 8553 (v).
Ore, Theft of: *See* 'B. No. 85.'
Original Construction, I.C.R.: in Com. of Sup., 2943 (ii).
Ottawa Army Service Corps at Quebec, Authority for employing Horses, &c.: Ques. (Mr. Worthington) 2289 (ii).
Ottawa, Brockville and St. Lawrence Ry. Co.: *See* 'B. No. 160.'
Ottawa Buildings: in Com. of Sup., 416 (i).
Ottawa Buildings, Allotted Space, Number of Occupants, Information *re* (Mr. Foster) 623 (i).
—— Design Competition: Ques. (Mr. Macdonell) 6180 (iv).
—— Sussex Street, Architect's Plans: in Com. of Sup., 7166 (iv).
—— (Y.M.C.A.) Taxes, Rental, &c.: Ques. (Mr. Perley) 1009 (i).
See 'Public Works—Ottawa.'
Ottawa City Bridges: in Com. of Sup., 6152 (iv).
Ottawa Deptl. Buildings, Improvements: in Com. of Sup., 8170 (v).
—— New: in Com. of Sup., 548 (i).
Ottawa Electoral District, Pet., Judgment *re*: Notification (Mr. Speaker) 3476 (ii).
Ottawa Improvement Commission: *See* 'B. No. 230.'
Ottawa Improvement Commission, Expenditure *re*: Ques. (Mr. Foster) 8662 (v).
Ottawa Militia Stores Building: in Com. of Sup., 597 (i).
See 'Militia.'
Ottawa Mint, Maintenance, &c.: in Com. of Sup., 7866 (v).
See 'Mint.'
Ottawa, Montreal and Eastern Ry. Co.: *See* 'B. No. 107.'
Ottawa and Montreal Power and Transmission Co.: *See* 'B. No. 178.'
See 'Committee,' 6605 (iv).
Ottawa, Northern and Western Ry. Co.: *See* 'B. No. 34.'
Ottawa Parliament Grounds Driveway: in Com. of Sup., 8173, 8191 (v).
Ottawa Printing Bureau Building: in Com. of Sup., 8170 (v).

Ottawa and Quebec East, Representation in the House of Commons : Amt. (Mr. Meighen) to Com. of Sup., 1305; Neg. (Y. 61; N. 90) 1329 (i).
—— Decision of Prime Minister: Remarks (Mr. Jameson) 413 (i).
—— Cor. in Toronto 'World': Remarks (Mr. Sproule) 521 (ii).
—— Ques. *re* Disposal of Protests by Speaker, 802 (i).
—— on Ques. of Priv. (Mr. Meighen) Authorities quoted (Mr. Speaker) 833 (i).
—— Prime Minister's Resignation : Remarks (Mr. Campbell) 1446 (i).
—— Resignation of Prime Minister, 1689 (i).
—— Vacancy : Notification (Mr. Speaker) 1729 (i).
Ottawa, Rideau Valley and Brockville Ry. Co.: *See* 'B. No. 183.'
Ottawa River Beach Protection Work: in Com. of Sup., 4211 (iii).
Ottawa River Water Storage Dams: in Com. of Sup., 6162 (iv).
Ottawa Standardizing Building: in Com. of Sup., 572 (i).
Ottawa Valley Ry. Co.: *See* 'B. No. 64.'
Ottawa Victoria Museum: in Com. of Sup., 566 (i).
Owen Sound Post Office, Apptmts. of Mail Carriers, &c.: Ques. (Mr. Middlebro) 166 (i).
Owen Sound Public Building, Total Expenditure, &c.: Ques. (Mr. Middlebro) 166 (i).
Owl's Head Wharf: in Com. of Sup., 1000 (i).
Oyamel Co., Payments to *re* Tamarack Wood: Ques. (Mr. Girard) 7870, 8834 (v).
Oyster Barrels: *See* 'B. No. 192.'
Oyster Culture: in Com. of Sup., 8545 (v).
Pacific and Atlantic Ry. Co.: *See* 'B. No. 97.'
Parker's Cove Harbour Improvements : in Com. of Sup., 1000 (i).
Parkhill Public Building: in Com. of Sup., 8177 (v).
Parliamentary Corridors, Coloured Clergyman ejected: Remarks (Mr. Crosby) 7182 (iv).
Parliament, Opening: Mess. from Gov. Gen.'s Sec., 1 (i).
Parrsboro Public Building: in Com. of Sup., 577 (i).
Parry Sound Post Office : Remarks (Mr. Arthurs) in Com. of Sup., 930 (i), 5758 (iii).
Patent Record: in Com. of Sup., 7371 (iv).
Patents, Relief Bills: *See* 'B. No. 92.'
Paterson, Mr. T. and J. F. Sibbard, Claims *re* Section 16-39-9: M. for Cor.* (Mr. Lake) 1686 (i).
Patronage Distribution: Inquiry (Mr. Foster) for Ret., 3134 (ii).
See 'Party.'
Partridge Island Quarantine Station : in Com. of Sup., 595 (i), 3450 (ii).
Patrol Vessels for Northern Waters: in Com. of Sup., 8521 (v).
Patronage List and Tory Whip, &c.: Ques. of Priv. (Mr. Blain) 7070 (iv).
Party Patronage, System: Prop. Res. (Mr. Foster) 2432 (ii).
—— Notice of Motion (Mr. Foster) 1792 (i).
—— on Order being called: Remarks (Mr. Foster) 2151 (ii).
See 'Patronage.'
Paspebiac Breakwater: in Com. of Sup., 3912 (ii).
Paul, Mr. William, Purchase from by Govt. of Gasolene Boat: Ques. (Mr. Geo. Taylor) 1975 (ii).
Pay and Allowances for Militia: in Com. of Sup., 8559 (v).
Pay-lists of 18th Regiment, Personations, &c.: Ques. (Mr. Girard) 8837 (v).
See 'Militia.'
Peace River Col. and Land Development Co., Cancellation of Grant, &c.: Ques. (Mr. Monk) 1376, 1535 (i).
Peace River Country, Portions opened up for Settlement: Ques. (Mr. Best) 4313 (iii).
—— Estimated Acreage of Arable Land, &c.: Ques. (Mr. Macdonell) 2924 (ii).
Peat Bogs, Operation: in Com. of Sup., 8553 (v).
Peat Testing Buildings: in Com. of Sup., 8177 (v).
Peigan Indian Reserve, Disposal of Sale of, &c.: M. for Ret.* (Mr. Herron) 172 (i).
—— Inquiry for Ret. (Mr. Herron) 1801 (i).
—— Ques. (Mr. Herron) 6936 (iv).
—— Remarks (Mr. Herron) in Com. of Sup., 7856 (v).
Pembina River Fishing Regulations : Remarks (Mr. W. H. Sharpe) in Com. of Sup., 8529 (v).
Pender Island Canal, Cost, Length, Depth, &c.: Ques. (Mr. Barnard) 2427 (ii).
Penitentiary at New Westminster, Contract *re* Fish Supply: Ques. (Mr. J. D. Taylor) 7516 (v).
Pension Act: *See* 'B. Nos. 155 and 212.
See 'Finance.'
Pension Fund of Merchants Bank: *See* 'B. No. 133.'
Pensions *re* Lighthouse Service: in Com. of Sup., 8528 (v).
Pensions to Militia: *See* 'B. No. 194.'

Permanent Corps, Cost of Maintenance, &c.: Ques. (Mr. Worthington) 1781 (i).
—— Annual Cost Per Man, &c.: Ques. (Mr. Worthington) 1013 (i).
—— Number of Re-enlistments, &c.: Ques. (Mr. R. L. Borden) 3735 (ii).
—— Officers' Entertaining Allowance: Ques. (Mr. Worthington) 1530 (i).
—— Requirements *re* Instructions, Payments, &c., Ques. (Mr. Worthington) 1011 (i).
—— Schools of Instruction, Certificates issued, &c.: Ques. (Mr. Worthington) 1531 (i).
—— Total Strength and Expenditure, &c.: Ques. (Mr. Worthington) 266, 843 (i).
Petawawa Military Review, Visit of Sir John French, Arrangements *re*: Ques. (Mr. G. V. White) 4129 (iii).
—— Remarks (Mr. G. V. White) 5279 (iii).
See 'Militia.'
Petit Rocher Roadway: in Com. of Sup., 3396 (ii).
Petit Saguenay Wharf: in Com. of Sup., 3913 (ii).
Petroleum, Bounty on: *See* 'B. No. 208.'
Petroleum Fields in N. W., Royalty Charges, &c.: Ques. (Mr. Hughes) 133 (i).
Petroleum Locations on Athabasca River, Reports *re*: Ques. (Mr. McCarthy) 3493 (ii).
Phœnix Assurance Co., Ltd.: *See* 'B. No. 45.'
Piche Point Wharf: in Com. of Sup., 3913 (ii).
Picnic Islands Improvements: in Com. of Sup., 3457 (ii).
Pictou Island Wharf: in Com. of Sup., 1000 (i)
Pictou Post Office, Copper Roofing, Name of Contractor, &c.: Ques. (Mr. Stanfield) 3489 (i).
Pilotage Dues: *See* 'B. No. 74.'
Pilots' Association Fund, Receipts and Expenditure, &c.: Ques. (Mr. Delisle) 7517 (v).
Pincher Creek Sub-land Agency: Remarks (Mr. Herron) 8840 (v).
Pinckney Point Breakwater Extension: in Com. of Sup., 1158 (i).
Pine Brook Harbour Improvements: in Com. of Sup., 8816 (v).
Pine Pass Ry. Co.: *See* 'B. No. 46.'
Pink Rock Wharf Extension: in Com. of Sup., 3397 (ii).
—— Ownership: Remarks (Mr. Sproule) in Com. of Sup., 4734 (iii).
—— Ques. of Priv. (Mr. Crocket) *re* Par. in 'Globe,' 3476 (ii).
—— Par. in 'Globe': Ques. of Priv. (Mr. Pugsley) 3739 (ii).
—— Ques. of Order: Ruling (Mr. Speaker) 3744 (ii).
—— Remarks (Mr. Crocket) in Com. of Sup., 588 (i).
Pintsch Gas Apparatus, I. C. R.: in Com. of Sup., 2943 (ii).
Pioneers Loan Co.: *See* 'B. No. 211.'
Piper's Cove Breakwater: in Com. of Sup., 1158 (i).
Pitt Meadows, B.C., Lease of Land on Special Terms, &c.: Ques. (Mr. J. D. Taylor) 274 (i).
Plains of Abraham, Battlefields: *See* 'B. No. 188.'
Plessisville Public Building: in Com. of Sup., 704 (i).
Pointe aux Trembles Wharf Improvements: in Com. of Sup., 4210 (iii).
Pointe Bleue Indian Agent, W. Donohue, Removal of, &c.: Ques. (Mr. Girard) 4515 (iii).
Pointe du Chene, N.B., Breakwater: in Com. of Sup., 3427 (ii).
Political Literature franked by Sol. Gen.: Remarks (Mr. J. D. Taylor) on M. for Sup., 7784 (v).
See 'Franking.'
Polytechnic School, Montreal: in Com. of Sup., 8822 (v).
Population, Method of Estimating *re* Budget Speech: Ques. (Mr. Magrath) 4846 (iii).
Porcher Island Wharf: in Com. of Sup., 4716 (iii).
Portage la Prairie Public Building: in Com. of Sup., 8182 (v).
Port Arthur Armoury: in Com. of Sup., 8177 (v).
Port Arthur Dredging Inspectors, Names, Salaries, &c.: Ques. (Mr. Armstrong) 6507 (iv).
Port Arthur Dry Dock, Applications *re* Subsidy: M. for Pets.* (Mr. Boyce) 171 (i).
—— Inquiry for Ret. (Mr. Boyce) 3136 (ii).
—— Remarks (Mr. Boyce) 5003 (iii).
See 'Dry Docks,' &c.
Port Arthur and Fort William Harbour Improvements: in Com. of Sup., 5729, 6101 (iv).
See 'Fort William,' &c.
Port Bruce Harbour: Remarks in Com. of Sup., 3861 (ii).
—— Total Expenditure from 1904-9: Ques. (Mr. Marshall) 264 (i).
Port Burwell Harbour Improvements: in Com. of Sup., 3471 (ii).
Port Colborne Elevator, Officials: Stmnt. (Mr. Graham) in Com. of Sup., 3121 (ii).
—— Expenditure *re* Ry.: Ques. (Mr. Foster) 3295 (ii).
—— Right of Way, &c.: Ques. (Mr. Foster) 8661 (v).
Port Colborne Improvements: in Com. of Sup., 8821 (v).
Port Colborne Public Works, Total Expenditure to Date, &c.: Ques. (Mr. Foster) 1967 (ii).

Port Credit Dredging: Remarks (Mr. Blain) in Com. of Sup., 6126 (iv).
Port Dufferin Breakwater: in Com. of Sup., 1161 (i).
Port Dufferin Wharf, Repairs, &c.: Ques. (Mr. Crosby) 4082 (iii).
Porter's Lake Boat Channel: in Com. of Sup., 1161 (i).
Port Hood Harbour Improvements, Expenditure *re*: Ques. (Mr. Rhodes) 4513 (iii).
—— Northern Entrance: in Com. of Sup., 1161 (i).
Port Hope Piers: in Com. of Sup., 3471 (ii).
Port Joly Breakwater: in Com. of Sup., 1163 (i).
Port Maitland Breakwater: in Com. of Sup., 1166 (i).
Port Malcolm Wharf: in Com. of Sup., 1164 (i).
Port Moody Wharf Repairs: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4728 (iii).
Port Selkirk Pier: in Com. of Sup., 2695 (ii).
Port Stanley Harbour Improvements: in Com., of Sup., 3472 (ii).
Port Stanley Life Saving Station: Remarks (Mr. Marshall) in Com. of Sup., 3853 (ii).
Post Office Act (inspectors' salaries) Amt.: *See* 'B. No. 197.'
Post Office Act Amt. Bill: Remarks (Mr. Lemieux) in Com. on C. S. Bill, 6955 (iv).
POST OFFICE.
'Air Brake Magazine,' Postal Regulations *re*: Remarks (Mr. Hughes) 6694 (iv), 8118 (v).
Algoma Free Mail Delivery, Applications *re*: Ques. (Mr. Boyce) 1020 (i).
Barrie and Allandale Letter Rate, Res. *re*: Ques. (Mr. Lennox) 169 (i).
Blairmore Station Mail Service: Ques. (Mr. Armstrong) 7871 (v).
Boar's Back Post Office, Name of New Office, &c.: Ques. (Mr. Jameson) 5778 (iii).
—— Pet. *re*: Ques. (Mr. Jameson) 4313 (iii).
Camborne Postmaster, B. C., Pet. *re* Apptmt.: Ques. (Mr. Goodeve) 1016 (i).
—— Remarks (Mr. Goodeve) 2713 (ii).
Campbellford Post Office: Remarks (Mr. Owen) in Com. of Sup., 930 (i).
Canada and Cuba Mail Subsidy: in Com. of Sup., 5692 (iii).
Canada and Mexico Mail Subsidy: in Com. of Sup., 5690 (iii).
Central Park Postal Service, B.C., Date of Discontinuance, Pets. *re*: Ques. (Mr. J. D. Taylor) 2293 (ii).
—— Pets. *re* Closing; Ques. (Mr. J. D. Taylor) 2188 (ii).
—— M. for Cor.* (Mr. J. D. Taylor) 3169 (ii).
POST OFFICE—*Con.*
—— Remarks (Mr. J. D. Taylor) in Com. of Sup., 6701 (iv).
Charleston or Kelmont P.O., Pets. *re* Establishing: M. for Copies* (Mr. Staples) 2150 (ii).
'Cotton's Weekly,' Discrimination *re* Postage, &c.: Ques. (Mr. Herron) 4517 (iii).
—— Remarks (Mr. Lennox) in Com. of Sup., 5755 (iii).
—— Remarks (Mr. Herron) 5894 (iii).
—— P. M. G.'s Answers: Remarks (Mr. Sproule) 8818 (v).
Dauphin Post Office, Date of Opening: Remarks (Mr. Campbell) 3136 (ii).
Delisle Postmaster, Alfred Gagne, Removal, &c.: Ques. (Mr. Girard) 4516 (iii).
Dixon Post Office, Pet. *re* Removal: Ques. (Mr. Armstrong) 3293 (ii).
—— Remarks (Mr. Armstrong) in Com. of Sup., 7863 (v).
Dolbeau Postmaster, J. Tremblay, Removal, &c.: Ques. (Mr. Girard) 4516 (iii).
Dunkin and Highwater Mail Service, Complaint of Mr. C. A. Barnett *re*: Ques. (Mr. Worthington) 4311 (iii).
Dunnville Postal and Customs Revenue from 1900 to 1909: Ques. (Mr. Lalor) 1009 (i).
Edmonton, Calgary, &c., Post Offices, Revenue per Month, Number of Employees: Ques. (Mr. McCarthy) 1590 (i).
Frontenac County Mail Contracts, Route, Revenues, &c.: Ques. (Mr. Edwards) 5105 (iii), 7066 (iv).
—— Remarks (Mr. Edwards) in Com. of Sup., 6654 (iv).
Gowganda Junction Post Office: Remarks (Mr. Geo. Gordon) in Com. of Sup., 7865 (v).
Grenville Station to Grenville Village, Mail Service, Number of Tenders called for: Ques. (Mr. Perley) 131 (i).
Grimsby Post Office Accommodation: Remarks (Mr. Lancaster) in Com. of Sup., 928 (i); 8814 (v).
Halifax Post Office, Reconstruction. &c.: Ques. (Mr. Crosby) 3483 (ii).
Holland Post Office Postal Boxes: Remarks (Mr. Staples) in Com. of Sup., 7865; 7881 (v).
Innisfail Rural Mail Delivery: Remarks (Mr. Lennox) in Com. of Sup., 7865 (v).
Kilmant & Shacleton, Application *re* Post Office: Remarks (Mr. Staples) in Com. of Sup., 6650 (iv).
Lachute Post Office, Completion and Opening: Remarks (Mr. Perley) 3137 (ii).

POST OFFICE—*Con.*
Lethbridge Post Office Accommodation, Representations *re*: Ques. (Mr. Magrath) 641 (i).
—— Total Revenue for ten months, &c.: Ques. (Mr. Magrath) 3933 (ii).
—— Cor., Reps. &c. with Depts.: M. for copies* (Mr. Magrath) 1330 (i).
—— Inquiry for Ret. (Mr. Magrath) 3682 (ii).
—— Personal Explanation (Mr. Magrath) 8855 (v).
—— Remarks (Mr. Magrath) in Com. of Sup., 582, 941 (i); 7781 (v).
Lotellier Mail Service, Date of Contract, &c.: Ques. (Mr. Staples) 7290 (iv).
Macleod Post Office Building: Remarks (Mr. Herron) in Com. of Sup., 8189 (v).
Mails between G.B. and Canada for last two months, Date of Closing, &c.: M. for Ret. (Mr. Monk) 5591 (iii).
Mails between Montreal and Lower Provs., Delays, &c.: Remarks (Mr. Emmerson) 8581 (v).
Mail Contracts, Advertising, &c.: Remarks (Mr. Armstrong) in Com. of Sup., 6683 (iv).
Mail Contracts with Capt. Noonan, Remuneration, &c.: Ques. (Mr. Edwards) 1379 (i).
Mail Delivery Free, Closing of Distribution Offices: Ques. (Mr. Armstrong) 1196 (i).
Mail Matter, Free Delivery to Street Address: Ques. (Mr. J. D. Taylor) 7869 (v).
—— Remarks (Mr. J. D. Taylor) 8118 (v).
Mail Privileges to Members *re* Postal Regulations, &c.: Ques. (Mr. C. A. Wilson) 2146 (ii).
Mail Subsidies and SS. Subventions: in Com. of Sup., 5690 (iii); 8808 (v).
Maisonneuve Post Office: in Com. of Sup., 669 (i).
Markham Post Office Completion and Opening: Remarks (Mr. Wallace) 3137 (ii).
Mercer, R. G., Apptmt. as Supt. of Ry. Mail Service: in Com. of Sup., 5755 (iii).
Metabetchouan Postmaster, Mr. Jean Gauthier, Removal, &c: Ques. (Mr. Girard) 4515 (iii).
Milledgeville-Holderville, N.B. Mail Route, Tenders *re*: Ques. (Mr. Daniel) 4518 (iii).
Montreal Post Office, Enlargement: in Com. of Sup., 700 (i).
Montreal Post Office and Postal Stations, Reps. &c.: M. for Copies (Mr. Monk) 1581 (i).
Montreal Postal Station 'D': in Com. of Sup., 703 (i).

POST OFFICE—*Con.*
New Westminster, P.O., B.C., Basis of Apptmts., &c.: Ques. (Mr. J. D. Taylor) 2951 (ii).
North Bay Post Office Inspector: Remarks (Mr. G. Gordon) in Com. of Sup., 7863 (v).
North Toronto Free Postal Delivery: Remarks (Mr. Wallace) in Com. of Sup., 7864 (v).
Owen Sound Post Office, Apptmts. of Mail Carriers, &c,: Ques. (Mr. Middlebro) 166 (i).
Parry Sound Mail Service: Remarks (Mr. Arthur) in Com. of Sup., 930 (i); 5758 (iii).
Postal Contracts and Fair Wage Clause: Remarks (Mr. J. D. Taylor) in Com. of Sup., 242 (i).
Postal Regulations during Recess of Parlt.: Ques. (Mr. C. A. Wilson) 2486 (ii).
Postal Service at Cedar Croft, &c., where situated, Number accommodated, &c.: Ques. (Mr. S. Sharpe) 447 (i).
Postal Violations, Penalties, &c.: Ques. (Mr. J. D. Taylor) 2292 (ii).
Postmaster General, Absence *re* Official Business: Ques. (Mr. Armstrong) 267 (i).
Post Office Buildings, Govt. Policy *re*: Remarks in Com. of Sup., 927 (i).
Post Office Dept., Salaries: in Com. of Sup., 6650 (iv).
—— Outside Service Salaries: in Com. of Sup., 5752 (iii); 7863 (v).
Post Offices opened on Sundays to Boxholders: M. for Cor.* (Mr. A. Haggart) 4315 (iii).
—— Stmnt.: Read (Mr. Lemieux) 3672 (ii). *See* 'Winnipeg.'
Post Offices, Closing on Sundays, Remarks (Mr. Neely) 2931 (ii).
Post Office, Deptl. Rep.: Presented (Sir Wilfrid Laurier) 7 (i).
Post Offices Generally, Policy of Building: Remarks (Mr. Wright) in Com. of Sup., 683 (i).
Post Office Guide, Index, &c.: Remarks (Mr. Lake) in Com. of Sup., 5607 (iii).
P. O. Inspectors, Salary Increase, Pets. *re* Ques. (Mr. Armstrong) 3167 (ii).
Post Offices, Location in Federal Buildings, System of rating Employees, &c.: Ques. (Mr. Armstrong) 5779 (iii).
Post Office Mail Contracts, Advertising, &c.: Remarks (Mr. Armstrong) in Com. of Sup., 6683 (iv).
Post Offices opened in 1909, Dom. and Weekly Mails, N.S.: Ques. (Mr. Sinclair) 625 (i).
Post Office Parcel Delivery, Signing for, &c.: Remarks (Mr. Lemieux) 3682 (ii).

POST OFFICE—*Con.*
Post Office Promotional Examinations, 1908, Accepted Answer to Question 4: Ques. (Mr. J. D. Taylor) 2290 (ii).
Powassan-Nipissing Mail Routes, Pets. *re* Changes, &c.: Ques. (Mr. Arthurs) 108 (i).
Quebec-Lévis Mail Service, Contract *re*: Ques. (Mr. Carrière) 6390 (iv).
Quesnel-Fort George Mail Service, Contract *re*: Ques. (Mr. Burrell) 6941 (iv).
Railway Mail Clerks, Application *re* Salaries, &c.: Ques. (Mr. Macdonell) 6390 (iv).
——— Recommendation of C. S. Commission *re* Standard Cars: Ques. (Mr. Sproule) 5106 (iii).
——— Salaries: Remarks (Mr. Russell) in Com. on C. S. Bill, 6958 (iv).
——— Remarks (Mr. Russell) in Com. of Sup., 6678 (iv).
River Herbert and Minudie, N.S., Mail Contracts, Name of Contractor: Ques. (Mr. Rhodes) 1380 (i).
Rivière du Loup and Tadousac Mail Subsidy: in Com. of Sup., 5711 (iii).
Rural Mail Boxes, Destruction of, Punishment *re*: Ques. (Mr. Elson) 630 (i).
Rural Mail Delivery in Elgin, Number of Boxes, &c.: Ques. (Mr. Marshall) 264 (i).
Rural Free Mail Delivery, Change in Design of Box: Ques. (Mr. Armstrong) 1783 (i).
——— List of Routes, &c.: M. for Ret.* (Mr. Armstrong) 1380 (i).
——— Locks furnished Patrons: Ques. (Mr. Armstrong) 784 (i).
——— Method, &c.: Remarks (Mr. Sinclair) in Com. of Sup., 6701 (iv).
——— Routes, Number in Operation, Pets., &c.: Ques. (Mr. Armstrong) 259 (i).
——— Stmnt. *re*: in Com. of Sup., 5753 (iii).
St. Catherines Bay and Tadousac Mail Subsidy: in Com. of Sup., 5711 (iii).
St. Charles, Man., Post Office Establishment of: Inquiry for Ret. (Mr. Staples) 3682 (ii).
St. Henri Post Office Improvements: in Com. of Sup., 952 (i).
St. Simeon-Tadousac Mail Service, Tenders *re*: Ques. (Mr. Paquet) 3936 (ii).
Salmon River Post Office, Vacancy *re* Postmaster, &c.: Ques. (Mr. Jameson) 2929 (ii).
Scotsburn-Loganville, Mail Contract, Apptmt. of Postmaster, &c.: Ques. (Mr. Rhodes) 2290 (ii).
Stampers and Sorters, Salary Increases: Remarks (Mr. G. V. White) in Com. on C. S. Bill, 6960 (iv).

POST OFFICE—*Con.*
Sydney, N.S., Free Mail Delivery: Ques. (Mr. Maddin) 1014 (i).
——— M. for Cor.* (Mr. Maddin) 1022 (i).
——— Inquiry for Ret. (Mr. Maddin) 3137
Toronto Sub-post Offices, Ownership of Building, Salaries, &c.: Ques. (Mr. Foster) 3677 (ii).
Tourists' Post Offices, Number temporarily established, &c.: Ques. (Mr. S. Sharpe) 170 (i).
Troy, Inverness, N.S., Postmaster, Investigation, *re* Dismissal: Ques. (Mr. Armstrong) 7288 (iv).
Victoria and San Francisco Mail Subsidy: Remarks (Mr. Barnard) in Com. of Sup., 5711 (iii).
Walkerville Post Office, Appropriation for: Ques. (Mr. Wilcox) 1373 (i).
Williamsville Post Office, Revenue, Pets. *re* removal, &c.: Ques. (Mr. Edwards) 7287 (iv).
Windygates Post Office, Pet. *re* Change, &c.: Ques. (Mr. S. Sharpe) 2930, 3168 (ii).
——— M. for Cor.* (Mr. W. H. Sharpe) 4315 (iii).
Winnipeg Post Office Building: in Com. of Sup., 8185 (v).
Winnipeg Post Office, Closing on Sundays: Remarks (Mr. A. Haggart) 3134 (ii).
——— *re*: M. for Cor.* (Mr. A. Haggart) 4315 (iii).
——— Remarks (Mr. Lemieux) *re* Answer, 3484, 3672 (ii).
See 'Post Offices, &c.'
Potatoes, Sale and Inspection of: *See* 'B. No. 54.'
Potvin, P. A., Payments to: Ques. (Mr. Girard) 8837 (v).
Poultry Dept., Experimental Farm, Number of Employees, Salaries, &c.: Ques. (Mr. W. H. Sharpe) 4519 (iii).
Powassan—Nipissing Mail Routes, Pets. *re* Changes, &c.: Ques. (Mr. Arthurs) 108 (i).
Pre-emption Payments, Notice *re* Interest, &c.: Ques. (Mr. Lake) 432 (i).
Prendergast, Mr. Justice, Transfer to Man. Bench: Ques. (Mr. A. Haggart) 3489 (ii).
Press Despatches from England, Subsidy: *See* 'B. No. 228.'
Press Gallery Reports, Subsidy *re*: Remarks (Mr. Lewis) 4712-13 (iii).
Preston, W. T. R., Judgments, Reps *re* Libel Suits: M. for Copy (Mr. McKenzie) 656 (i).
Prince Albert and Hudson Bay Ry. Co.: *See* 'B. No. 69.'
P. E. I. Ry., Branch through New London, Memorials, &c.: M. for Copies (Mr. Warburton) 5500 (iii).

P. E. I. Ry., Maintenance, &c.: in Com. of Sup., 3063 3102 (ii).
——— Murray Harbour Branch Survey: Ques. (Mr. Fraser) 7518 (v).
——— Royal Junction, Surveys, &c.: M. for Copies* (Mr. R. L. Borden) 3170 (ii).
——— West Shore Extension, Memorials, &c.: M. for Cor.* (Mr. Richards) 5501 (iii).
P. E. I. Tunnel, Memorials, Surveys *re* Construction: M. for Copies (Mr. Warburton) 277 (i).
P. E. I. Winter Communication, Change of Route, &c.: M. for Cor., 3171 (ii).
Prince Rupert and Queen Charlotte Sound SS. Subvention: in Com. of Sup., 8809 (v).
'Princess' Str., Name of Officer in Charge: Ques. (Mr. Gauvreau) 8238 (v).
Pringle, Cecilia Marie, Relief of: *See* 'B. No. 157.'
Printing Outside of Govt. Bureau, Payments re &c.: M. for Ret.* (Mr. Armstrong) 414 (i).
——— Inquiry for (Mr. Armstrong) 2713 (ii).
Printing, &c., *re* Dom. Lands: in Com. of Sup., 8493 (v).
Printing and Stationery, Dept. Rep.: Presented (Mr. Murphy) 7287 (iv).
Prisons and Reformatories Act Amt.: *See* 'B. No. 217.'
Private Bills, Consideration of: Remarks (Sir Wilfrid Laurier) 8364, 8380 (v).
——— M. to extend time: (Sir Wilfrid Laurier) 1597 (i).
——— Suspension of Rules: M. (Mr. Miller) 8351 (v).
See 'Bills,' 'Senate Amts.'
Private Cars, Expenditure *re* Hauling: Remarks (Mr. Daniel) in Com. of Sup., 234 (i).
Priv., Ques. of (Mr. Aylesworth) *re* Legal Work to Toronto Lawyers, 8362 (v).
Privilege, Ques. of (Mr. Barker) *re* Par. in Toronto 'World,' *re* Salary to Leader of Opposition, 6612 (iv).
Privilege, Ques. of *re* Interrupting Mr. Clare *re* debate on Naval Bill (Mr. M. Y. McLean) 5200 (iii).
Privilege, Ques, of *re* 'Globe's Rep. of Prime Minister's Speech (Mr. Lake) 2430 (ii).
Proportional Representation in the House of Commons: M. for Sel. Com. (Mr. Monk) 136 (i).
——— M. (Sir Wilfrid Laurier) for Com., 429 (i).
See 'Representation,' &c.
Prorogation: Mess. from His Ex., 8857 (v).
——— Round Robin *re*: Ques. of Priv. (Mr. W. M. Martin) 4305 (iii).
Protection Piers, along Lake Fronts: Remarks (Mr. Henderson) in Com. of Sup., 3854 (ii).
Protection Service, Fisheries: in Com. of Sup., 8509 (v).
Protectorate Life Ins. Co. of Canada: *See* 'B. No. 189.'
Providence Bay, Manitoulin Wharf: in Com. of Sup., 3457 (ii).
Provincial Boundaries Extensions, Notice to Provs. of N.B. and N.S.: Ques. (Mr. Jameson) 3166 (ii).
Provincial and Federal Jurisdiction *re* Fisheries: in Com. of Sup., 8546 (v).
Public Accounts Com.: M. (Mr. Warburton) to ref. Aud. Gen.'s Rep. to Com., 602; Amt. (Mr. Blain) 612 (i).
Public Accounts Com. and N. T. Ry. Commission, Payments to Counsel by Govt.: M. for Ret.* (Mr. Rhodes) 5502 (iii).
See 'G. T. P.' &c.
Public Buildings, Heating and Lighting Contracts: Ques. (Mr. Worthington) 1203 (i).
Public Works Health Act: in Com. of Sup., 7392 (iv).
PUBLIC WORKS:
Annapolis Harbour Ice Piers: in Com. of Sup., 976 (i).
Arichat Wharf: in Com. of Sup., 977 (i).
Arthabaska Public Building: in Com. of Sup., 661 (i).
Assiniboine River Improvements: Remarks (Mr. Staples) in Com. of Sup., 4259 (iii).
Athabasca River Channel, Removing Boulders, &c.: in Com. of Sup., 4272 (iii).
Athalmer Wharf, B.C.: in Com. of Sup., 4276 (iii).
Aylmer Post Office, Additions: in Com. of Sup., 661 (i).
Aylmer Wharf, Lake Deschenes: in Com. of Sup., 3862 (ii).
Bamfield Wharf Extension: in Com. of Sup., 4276 (iii).
Bathurst Harbour, Improvements: in Com. of Sup., 8817 (v).
——— Remarks (Mr. Crocket) in Com. of Sup., 4798 (iii).
See 'Loggie.'
Bathurst Public Building: in Com. of Sup., 580 (i).
Bay St. Lawrence Lightkeeper, Complaints *re*: Ques. (Mr. Blain) 4311 (iii).
Bayside Wharf: in Com. of Sup., 2697 (ii).
Beaumarais Wharf: Remarks (Mr. Wright) in Com. of Sup., 4254 (iii).
Bécancour River Wharf: in Com. of Sup., 3865, 3875 (ii).
Belfast, Pier, Renewals, &c.: in Com. of Sup., 2693 (ii).

PUBLIC WORKS—*Con.*
Belle River Harbour, Repairs, &c.: in Com. of Sup., 2693 (ii).
Bic Harbour Wharf: in Com. of Sup., 3870 (ii).
Black Point Breakwater: in Com. of Sup., 977 (i).
Blanche River Improvements: in Com. of Sup., 3457 (ii).
Blue Rocks Island Breakwater: in Com. of Sup., 977 (i).
Bluff Head Breakwater: in Com. of Sup., 977 (i).
Bout de l'Ile Bridge, Repairs to: Remarks (Mr. Séguin) 6394 (iv).
Breen's Pond Breakwater: in Com. of Sup., 977 (i).
Bridges, Dominion Traffic: in Com. of Sup., 6152 (iv).
——— Generally: in Com. of Sup., 3392 (ii).
B.C., Expenditures by Govt. on Public Works, Discrimination *re*: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4219, 4281 (iii).
Brockville Dock: in Com. of Sup., 3455 (ii).
Brooklyn Breakwater: in Com. of Sup., 978 (i).
Brudenell Wharf: in Com. of Sup., 2693 (ii).
Brulé Wharf: in Com. of Sup., 979 (i).
Buctouche Channel Breakwater: in Com. of Sup., 2697 (ii).
Buildings, Mar. Provs., Repairs, &c.: in Com. of Sup. 596 (i).
——— Que. Renewals, &c.: in Com. of Sup., 662 (i).
See general heading.
Burk's Head Breakwater: in Com. of Sup., 979 (i).
Burlington Channel Piers: in Com. of Sup., 3456 (ii).
——— Remarks (Mr. Henderson) in Com., of Sup., 3854 (ii).
Byng Inlet Improvements: in Com. of Sup., 3459 (ii).
Cabano Landing Pier: in Com. of Sup. 3878 (ii).
Campbell River Wharf Improvements: in Com. of Sup., 4276 (iii).
Campbellton Deep Water Wharf: in Com. of Sup., 2703 (ii).
Cap à l'Aigle Wharf Repairs: in Com. of Sup., 3881 (ii).
Cape Bald Breakwater Pier: in Com. of Sup., 2704 (ii).
Cap de Chatte Training Pier: in Com. of Sup., 3888 (ii).
Cape Tormentine Breakwater: in Com. of Sup., 2706 (ii).
Cariboo Causeway, N.S., Expenditure *re*: M. for Papers* (Mr. Stanfield) 3495 (ii).

PUBLIC WORKS—*Con.*
Carleton Wharf: in Com. of Sup., 3885 (ii).
Carman Public Building: Remarks (Mr. Staples) in Com. of Sup., 8182 (v).
Central Economy Wharf: in Com. of Sup., 985 (i).
Centreville Harbour Improvements: in Com. of Sup., 8817 (v).
——— Wharf Repairs: Remarks (Mr. Jameson) 978 (i).
Chance Harbour Landing Pier: in Com. of Sup., 2706 (ii).
Chapeau Bridge, Culbute Canal, Ottawa River: in Com. of Sup., 6150 (iv).
Chapel Cove Breakwater: in Com. of Sup., 985 (i).
Chateauguay Wharf: in Com. of Sup., 3886 (ii).
Chesley Public Building: in Com. of Sup., 7173 (iv).
Chicoutimi Harbour Improvements: in Com. of Sup., 3886 (ii).
Chicoutimi Public Building, Ground Improvement: in Com. of Sup., 661 (i).
Chilliwack Public Building: in Com. of Sup., 8190 (v).
Chilliwack River Improvements: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4298 (iii).
China Point Pier: in Com. of Sup., 2694 (ii).
Christian Island Wharf: in Com. of Sup., 3467 (ii).
Clear Lake, Application to raise Water Level, &c.: M. for Cor.* (Mr. Roche) 3495 (ii).
Cobourg Harbour Improvements, Expenditure *re*: Ques. (Mr. Thornton) 1372 (i).
Collingwood Harbour Dock: in Com. of Sup., 3467 (ii).
Columbia River Improvements: in Com. of Sup., 4277 (iii).
——— Remarks (Mr. Goodeve) in Com. of Sup., 4718 (iii).
Contrecoeur Wharf: in Com. of Sup., 3889 (ii).
Coquitlam River, Removal of Obstructions: in Com. of Sup., 4291 (iii).
Cove Head Shear Dam: in Com. of Sup., 2694 (ii).
Creosoted Timber for Public Works: in Com. of Sup., 3452 (ii).
Cummings Cove, Deer Island Wharf: in Com. of Sup., 2706 (ii).
Dalhousie Harbour Breakwater: in Com. of Sup., 2707 (ii).
——— Dredging: Remarks (Mr. Crocket) in Com. of Sup., 4790 (iii).
David's Cove Breakwater: in Com. of Sup., 985 (i).

PUBLIC WORKS—*Con.*
Deep Brook Pile Wharf: in Com. of Sup., 986 (i).
Delap's Cove Breakwater: in Com. of Sup., 986 (i).
Delorey's Beach Breakwater: in Com. of Sup., 986 (i).
Devil's Island Breakwater Extension: in Com. of Sup., 986 (i).
Digby Armoury: Remarks (Mr. Jameson) in Com. of Sup., 8572 (v).
Digby Harbour Piers: in Com. of Sup., 986 (i).
—— Dredging: Remarks (Mr. Jameson) in Com. of Sup., 4791 (iii).
Digby Public Building: in Com. of Sup., 573 (i).
Diligent River Harbour Breakwater: in Com. of Sup., 986 (i).
Dipper Harbour Breakwater: in Com. of Sup., 3391 (ii).
Dom. Dredging Co., Amounts paid by Govt. to: Ques. (Mr. Geo. Taylor) 849 (i).
Dorchester Wharf: in Com. of Sup., 3391 (ii).
Doucet's Landing Pile Wharf: in Com. of Sup., 3890 (ii).
Dover Wharf: in Com. of Sup., 989 (i).
Dredge Construction at Sorel, Estimated Cost, &c.: Ques. (Mr. Monk) 3159 (ii).
Dredges, Purchase of, Ret. *re*: Remarks (Mr. German) 3944 (ii).
—— Stmnt. (Mr. Graham) 3986 (iii).
Dredging at Bathurst and Campbellton, Contract of A. & R. Loggie: Ques. (Mr. Crocket) 6508 (iv).
Dredging, B.C.: in Com. of Sup., 6138 (iv).
—— Plant, B.C.: in Com. of Sup., 4771 (iii).
Dredging Plant, Generally: in Com. of Sup., 4777 (iii).
Dredging, Man.: in Com. of Sup., 6137 (iv).
—— Plant, Man.: in Com. of Sup., 4771 (iii).
Dredging, Mar. Provs.: in Com. of Sup., 4780 (iii).
—— Generally: in Com. of Sup., 4738, 5608 (iii).
Dredging Plant, Mar. Provs.: in Com. of Sup., 4738 (iii).
—— Repairs to Vessels, &c.: in Com. of Sup., 5716 (iii).
Dredging, Ont. and Que.: in Com. of Sup., 4809 (iii).
—— Generally: in Com. of Sup., 6124 (iv).
Dredging Plant, Ont. and Que.: in Com. of Sup., 4759 (iii).
Dredging Plant, Sask. and Alberta: in Com. of Sup., 4771 (iii).

PUBLIC WORKS—*Con.*
Dredging Inspection on Public Works: Remarks (Mr. S. Sharpe) in Com. of Sup., 4252 (iii).
Dredging Plant, St. Lawrence River: in Com. of Sup., 8523 (v).
Dredging Vessels, Repairs, &c.: in Com. of Sup., 4731 (iii).
Dresden Public Building: in Com. of Sup., 7174 (iv).
Dublin Shore Breakwater Pier: in Com. of Sup., 990 (i).
Dundas Public Building: in Com. of Sup., 7174 (iv).
Eastern Dredging Co., Contracts, Payments to by Pub. Works Dept.: Ques. (Mr. Crocket) 2717 (ii).
Eastern Passage Harbour: in Com. of Sup., 990 (i).
Elora Public Building: in Com. of Sup., 7174 (iv).
Estevan Public Building: in Com. of Sup., 8185 (v).
Fairville Public Building: in Com. of Sup., 580 (i).
Father Point Wharf Improvements: in Com. of Sup., 3891 (ii).
Fergus Public Building: in Com. of Sup., 7178 (iv).
Fernie Public Building: in Com. of Sup., 8190 (v).
Fiddler's Elbow, Dredging Channel: in Com. of Sup.. 3833 (ii).
Fighting Island Channel Improvements: Remarks (Mr. D. A. Gordon) 3860 (ii).
Fort George Canyon Channel Improvement: in Com. of Sup., 4727 (iii).
Fort William Wharf, Ottawa River: in Com. of Sup., 3891 (ii).
Fox Island Beach Protection: in Com. of Sup., 990 (i).
Fraser River, Bank Protection: in Com. of Sup., 4295 (iii).
—— Remarks (Mr. Taylor) in Com. of Sup., 4212 (iii).
Fraser River Dredging, Depth of Channel, &c.: Ques. (Mr. J. D. Taylor) 2487 (ii).
Fraserville Armoury: in Com. of Sup., 662 (i).
Fredericton Building, Pavements: in Com. of Sup., 581 (i).
Gaspé Deepwater Wharf: in Com. of Sup., 3892 (ii).
Gaspereaux River Dredging: Remarks (Mr. Barker) in Com. of Sup., 3837 (ii).
Gaspereaux River Dredging, Total Payments for Mar. Dredging Co.: Ques. (Mr. Crocket) 2487 (ii).
—— Demand for Papers read by Minister (Mr. Crocket) 2489 (ii).

PUBLIC WORKS—*Con.*
Gimli Wharf Extension: Remarks (Mr. Bradbury) in Com. of Sup., 4262 (iii).
Goderich Harbour Improvements: in Com. of Sup., 3468 (ii).
Goderich Public Building: in Com. of Sup., 7496 (v).
Godfroy Pile Wharf: in Com. of Sup., 3898 (ii).
Grand Bend Piers: in Com. of Sup., 3468 (ii).
—— Remarks (Mr. Armstrong) in Com. of Sup., 3852 (ii).
Grand Falls Public Building: in Com. of Sup., 582 (i).
Grand Mechin Wharf: in Com. of Sup., 3900 (ii).
Grand Mère Post Office: Remarks (Mr. Blondin) in Com. of Sup., 932 (i).
Grand Mira Wharf, Contract *re*, Cost, &c.: Ques. (Mr. Maddin) 6799 (iv).
Grande Rivière (Gaspé) Wharf: in Com. of Sup., 3903 (ii).
Grande Vallée Breakwater: in Com. of Sup., 3904 (ii).
Gravenhurst Wharf: in Com. of Sup., 3468 (ii).
Great Lakes Dredging Co., Contracts on Kaministiquia River: Ques. (Mr. R. Smith) 3484 (ii).
Greenwood Public Building: in Com. of Sup., 8191 (v).
Grosse Isle Quarantine Station Wharf: in Com. of Sup., 3905 (ii).
Guelph Armoury: in Com. of Sup., 7496 (v).
Gulf Shore Breakwaters: in Com. of Sup., 991 (i).
Gull Cove Breakwater, Recommendations of Engineer, &c.: Ques. (Mr. Maddin) 6798 (iv).
Gulliver's Cove Breakwater, Pet. *re* Construction: Ques. (Mr. Jameson) 1206 (i).
Habitant River Wharf at Canning: in Com. of Sup., 992 (i).
Haggerty's Wharf Pier Head: in Com. of Sup., 2694 (ii).
Haileybury Harbour Improvements: in Com. of Sup., 3468 (ii).
Halifax Customs House, Repairs, Payments *re*: Ques. (Mr. Crosby) 3672 (ii).
Halifax Dom. Building, Improvements: in Com. of Sup., 574 (i).
Hampton Breakwater Extension: in Com. of Sup., 992 (i).
Harbours and Rivers: *See* general heading.
Harrington Harbour Wharf: in Com. of Sup., 3906 (ii).

PUBLIC WORKS—*Con.*
Harriston Public Building: in Com. of Sup., 7500 (v).
Hartland Public Building: in Com. of Sup., 582 (i).
Hawkesbury Bridge, Ottawa River: in Com. of Sup., 6151 (iv).
Hecla Island Wharf: Remarks (Mr. Bradbury) in Com. of Sup., 4271 (iii).
Hillsborough Public Building: in Com. of Sup., 587 (i).
Ile Verte Wharf: in Com. of Sup., 3906 (ii).
'Industry' Dredge, Total Cost, Date of Commencement of Work: Ques. (Mr. Foster) 1967 (ii).
Inverness Broad Cove Mines Harbour: in Com. of Sup., 994 (i).
Inverness Harbour Improvements, Expenditures *re*: Ques. (Mr. Blain) 4513 (iii).
Joggins Mines Breakwater: in Com. of Sup., 995 (i).
Judique Breakwater: in Com. of Sup., 995 (i)
Juniper Island, Stoney Lake: in Com. of Sup., 3469 (ii).
Kamouraska Wharf: in Com. of Sup., 3906 (ii).
Kemptville Public Building: in Com. of Sup., 7495 (v).
Kensington Wharf: in Com. of Sup., 3469 (ii).
—— Negotiations *re* Purchase, &c.: Ques. (Mr. Boyce) 1783 (i), 1970 (ii),
—— Repairs, Recommendations *re*: Ques. (Mr. Boyce) 3736 (ii).
—— Expenditure: Remarks (Mr. Boyce) in Debate on Budget, 2106 (ii).
Kincardine Public Building: in Com. of Sup., 7504 (v).
Kingsport Breakwater: in Com. of Sup. 995 (i).
Kingston Mills Bridge, Tenders *re* Construction, &c.: Ques. (Mr. Edwards) 263 (i).
Kingston Post Office: in Com. of Sup., 7505 (v).
Kouchibouguac Harbour Breakwater: in Com. of Sup., 3392 (ii).
Lachine Post Office, Tower Clock: in Com. of Sup., 667 (i).
Lachine Public Building, Heating Apparatus: in Com. of Sup., 667 (i).
Lachute Public Building, Completion, &c.: Ques. (Mr. Perley) 3483 (ii); Remarks (Mr. Perley) 5689 (iii).
LaHave River, Dredging: in Com. of Sup., 995 (i).
Lake Ainslie Boat Channel: in Com. of Sup., 995 (i).
Lake Aylmer Wharf, Stratford Centre: in Com. of Sup., 3907 (ii).

PUBLIC WORKS—*Con.*

Lake Nipissing Roller Dams, Total Cost, Damages, &c.: Ques. (Mr. Arthurs) 850 (i).

Lake Nipissing Water Level, Claims for Damages, &c.: in Com. of Sup., 6164 (iv).

Lake St. Peter Works, Foreman, Charges against, &c.: Ques. (Mr. J. D. Reid) 4517 (iii).

Lake Winnipeg Wharf: in Com. of Sup., 4262 (iii).

Lameque Wharf Improvements: in Com. of Sup., 3393 (ii).

L'Ange Gardien Wharf: in Com. of Sup., 3862 (ii).

Laprairie Protection Wall: in Com. of Sup., 4221 (iii).

Last Mountain Lake Improvements: in Com. of Sup., 4272 (iii).

—— Remarks (Mr. Lake) in Com. of Sup., 4731 (iii).

Latchford Dam, Montreal River: in Com. of Sup., 3471 (ii).

—— Contract *re*: Ques. (Mr. Wright) 3165 (ii).

Leamington Public Building: in Com. of Sup., 7506 (v).

Leitche's Creek Wharf: in Com. of Sup., 995 (i).

Lennox Island Indian Wharf: in Com. of Sup., 7847 (v).

Lennox Island, Port Hill Wharf: in Com. of Sup., 2694 (ii).

Leonardville, Deer Island Wharf Extension: in Com. of Sup., 3393 (ii).

Le Petit Debarquement: in Com. of Sup., 3907 (ii).

Les Eboulements Wharf: in Com. of Sup., 3907 (ii).

Lévis Deep Water Wharf: in Com. of Sup., 6102 (iv).

Lévis Drill Hall: in Com. of Sup., 668 (i).

Lewes and Yukon River Improvements: in Com. of Sup., 4730 (iii).

Lillooet River Obstructions, &c.: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4298 (iii).

Lion's Head Wharf, Repairs: in Com. of Sup., 3470 (ii).

Liscombe Harbour Wharf: in Com. of Sup., 995 (i).

Listowel Public Building: in Com. of Sup., 7506 (v).

Litchfield Breakwater: in Com. of Sup., 995 (i).

Little Anse Breakwater: in Com. of Sup., 995 (i).

Little River Breakwater Wharf: in Com. of Sup., 995 (i).

PUBLIC WORKS—*Con.*

Little Tancook Island Breakwater: in Com. of Sup., 996 (i).

Lockport, Queen Charlotte Island Wharf: in Com. of Sup., 4715 (iii).

Loggie, A. & R., Amounts paid *re* Dredging: Ques. (Mr. Crocket) 5622 (iii).
See 'Gaspereaux.'

Lorneville Breakwater Wharf: in Com. of Sup., 3393 (ii).

Lower Argyle Wharf: in Com. of Sup., 996 (i).

Lunenburg Public Building: in Com. of Sup., 576 (i).

McGregor's Creek Protection Work: in Com. of Sup., 3470 (ii).

McNair's Cove Breakwater: in Com. of Sup., 996 (i).

Mace's Bay Pier-head: in Com. of Sup., 3394 (ii).

Main-à-Dieu Wharf: in Com. of Sup., 996 (ii).

Marieville Public Building: in Com. of Sup., 678 (i).

Maritime Dredging Co., Amounts paid to by Govt.: Ques. (Mr. Geo. Taylor) 849 (i).

—— Date of Work at Gaspereaux, &c.: Ques. (Mr. Crocket) 2928 (ii).
See 'Gaspereaux.'

Markham Post Office Building Site, Cost of: Ques. (Mr. Wallace) 99 (i).

Martin Island, River Sydenham Protection Banks: in Com. of Sup., 3474 (ii).

Masset, Queen Charlotte Island Wharf: in Com. of Sup., 4715 (iii).

Matane Protection Pier: in Com. of Sup., 3907 (ii).

Megantic Public Building: in Com. of Sup., 700 (i).

Meteghan River Breakwater, Amt. (Mr. Pugsley): in Com. of Sup., 996 (i).

Michipicoten Docks, Plans, Estimated Cost, &c.: Ques. (Mr. Boyce) 783 (i).

Michipicoten Wharf: in Com. of Sup., 3471 (ii).

Middle Island, Port Medway Breakwater: in Com. of Sup., 999 (i).

Miminegash Harbour Repairs: in Com. of Sup., 2695 (ii).

Minnedosa Drill Hall: Remarks (Mr. Roche) in Com. of Sup., 8571 (v).

Mira River Wharfs: in Com. of Sup., 999 (ii).

Mitchell Public Building: in Com. of Sup., 7507 (v).

Moncton Public Building: in Com. of Sup., 591 (i).

PUBLIC WORKS—*Con.*
Moncton Wharf Enlargement: in Com. of Sup., 3394 (ii).
Montebello Wharf: in Com. of Sup., 3908 (ii).
Mossy River Dredging: Remarks (Mr. Campbell) in Com. of Sup., 4272 (iii).
Mount Forest Public Building: in Com. of Sup., 7510 (v).
Mud Lake Bridge, Surveys, Estimates, &c.: Ques. (Mr. Geo. Taylor) 3294 (ii).
Murray Bay Wharf: in Com. of Sup., 2908 (ii).
Napanee River, Dredging for coming Season: Ques. (Mr. U. Wilson) 1194 (i).
Napanee River Dredging Contract, Total Expenditure, &c.: M. for Copies* (Mr. U. Wilson) 109 (i).
Napanee River Dredging: M. for Cor.* (Mr. U. Wilson) 1022 (i).
—— Remarks (Mr. U. Wilson) on M. for Sup., 1155 (i).
Natashquan Breakwater Pier: in Com. of Sup., 3909 (ii).
Naufrage Pond, Protecting Entrance: in Com. of Sup., 2695 (ii).
Nechaco and Stewart River Dredging: Remarks (Mr. Burrell) in Com. of Sup., 4727 (iii).
Neguac Wharf Extension: in Com. of Sup., 3394 (ii).
New Carlisle Wharf: in Com. of Sup., 3912 (ii).
New Harbour Breakwater: in Com. of Sup., 999 (i).
New London Breakwater: in Com. of Sup., 2695 (ii).
New Mills Wharf: in Com. of Sup., 3395 (ii).
Newspapers, List *re* Advertising Public Works: Remarks (Mr. Blain) 8818; List read (Mr. Pugsley) 8825 (v).
See 'Public Works—Advertising.'
Niagara Falls Armoury: in Com. of Sup., 7511, 8169 (v).
Nitinat Lake Outlet, Removal of Obstructions: in Com. of Sup., 4715 (iii).
Nootka Wharf: in Com. of Sup., 4716 (iii).
North Bay Post Office: Remarks (Mr. Geo. Gordon) in Com. of Sup., 940 (i).
Northport Pile Wharf: in Com. of Sup., 999 (i).
North Saskatchewan River, Channel Improvements: in Com. of Sup., 4273 (iii).
'Northumberland' Dredge, Absence of Crew *re* Voting: Ques. (Mr. Stanfield) 4077 (iii).
—— Names of Employees, Total Expenses *re* Operating, &c.: Ques. (Mr. Rhodes) 4078 (iii).

PUBLIC WORKS—*Con.*
Norway Bay Wharf: in Com. of Sup., 3912 (ii).
Nyanza Wharf Extension: in Com. of Sup., 999 (i).
Oakville Harbour Dredging: Remarks (Mr. Henderson) 4809 (iii), 6148 (iv).
Okanagan Lake Dredging: Remarks (Mr. Burrell) in Com. of Sup., 4724 (iii).
Ottawa City Buildings, Astronomical Observatory: in Com. of Sup., 536 (i).
—— Additional Buildings: in Com. of Sup., 416 (i).
—— Bridges: in Com. of Sup., 6152 (iv).
—— Departl. Buildings, Sussex St., Canadian Stone used in Construction: Ques. (Mr. Marshall) 5106 (iii).
—— Eastern Block Extension: in Com. of Sup., 571 (i).
—— Govt. Building (Y. M. C. A.) Taxes, Rental, &c.: Ques. (Mr. Perley) 1009 (i).
—— Heating and Lighting Contracts in Public Buildings: Ques. (Mr. Worthington) 1203 (i).
—— Labour Dept., Rent of Y. M. C. A. Building: Ques. (Mr. Geo. Taylor) 627 (i).
—— Langevin Block, Boilers, &c.: in Com. of Sup., 8176 (v).
—— National Art Gallery, Ottawa: in Com. of Sup., 6158 (iv).
—— Mint Building: in Com. of Sup., 557 (i).
—— Mint, Royal, Total Cost, Estimated Cost, &c.: Ques. (Mr. Foster) 103 (i).
—— Rideau Hall Furniture: Inquiry for Ret. (Mr. U. Wilson) 8742 (v).
—— Rideau Hall Grounds: in Com. of Sup., 8192 (v).
——Steps and Walks to House of Commons, Matting Covering: Remarks (Mr. Geo. Taylor) 448 (i).
—— Ventilation of House of Commons: in Com. of Sup., 8170 (v).
—— Victoria Museum Specimens: in Com. of Sup., 8556 (v).
—— Water Supply for Dom. Buildings, Experiment by Govt. *re* Purifying: Ques. (Mr. Hughes) 130 (i).
Ottawa River Protection Work: in Com. of Sup., 4211 (iii).
Ottawa River Water Storage Dams: in Com. of Sup., 6162 (iv).
Owen Sound Public Building, Total Expenditure, &c.: Ques. (Mr. Middlebro) 166 (i).
Owl's Head Wharf: in Com. of Sup., 1000 (i).
Parker's Cove Harbour Improvements: in Com. of Sup., 1000 (i).

PUBLIC WORKS—*Con.*
Parkhill Public Building: in Com. of Sup., 8177 (v).
Parrsboro' Public Building: in Com. of Sup., 577 (i).
Partridge Island Quarantine Wharf: in Com. of Sup., 3450 (ii).
Paspebiac Breakwater: in Com. of Sup., 3912 (ii).
Petit Rocher Roadway: in Com. of Sup., 3396 (ii).
Petit Saguenay Wharf: in Com. of Sup., 3913 (ii).
Piché Point Wharf: in Com. of Sup., 3913 (ii).
Picnic Islands Improvements: in Com. of Sup., 3457 (ii).
Pictou Island Wharf: in Com. of Sup., 1000 (i).
Pictou Post Office, Copper Roofing, Name of Contractor, &c.: Ques. (Mr. Stanfield) 3489 (ii).
Pine Brook Harbour Improvements: in Com. of Sup., 8816 (v).
Pinckney Point Breakwater Extension: in Com. of Sup., 1158 (i).
Pink Rock Wharf Extension: in Com. of Sup., 3397 (ii).
See general heading.
Piper's Cove Breakwater: in Com. of Sup., 1158 (i).
Plessisville Public Building: in Com. of Sup., 704 (i).
Pointe du Chene, N.B., Breakwater: in Com. of Sup., 3427 (ii).
Pointe aux Trembles Wharf Improvements: in Com. of Sup., 4210 (iii).
Porcher Island Wharf: in Com. of Sup., 4716 (iii).
Portage la Prairie Public Building: in Com. Com. of Sup., 8182 (v).
Port Arthur Dredging Inspectors, Names, Salaries, &c.: Ques. (Mr. Armstrong) 6507 (iv).
Port Arthur and Fort William Harbour Improvements: in Com. of Sup., 5729 (iii), 6101 (iv).
Port Bruce Harbour: Remarks in Com. of Sup., 3861 (ii).
——— Total Expenditure from 1904-9: Ques. (Mr. Marshall) 264 (i).
Port Burwell Harbour Improvements: in Com. of Sup., 3471 (ii).
Port Colborne Public Works, Total Expenditure to Date, &c.: Ques. (Mr. Foster) 1967 (ii).
Port Credit Dredging: Remarks (Mr. Blain) in Com. of Sup., 6126 (iv).
Port Dufferin Breakwater: in Com. of Sup., 1161 (i).

PUBLIC WORKS—*Con.*
Port Dufferin Wharf, Repairs, &c.: Ques. (Mr. Crosby) 4082 (iii).
Porter's Lake Boat Channel: in Com. of Sup., 1161 (i).
Port Hood Harbour, Northern Entrance: in Com. of Sup., 1161 (i).
——— Improvements, Expenditure *re*: Ques. (Mr. Rhodes) 4513 (iii).
Port Hope Piers: in Com. of Sup., 3471 (ii).
Port Joly, Breakwater: in Com. of Sup., 1163 (i).
Port Maitland Breakwater: in Com. of Sup., 1166 (i).
Port Malcolm Wharf: in Com. of Sup., 1164 (i).
Port Moody Wharf Repairs: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4728 (iii).
Port Selkirk Pier: in Com. of Sup., 2695 (ii).
Port Stanley Harbour Improvements: in Com. of Sup., 3472 (ii).
Protection Piers along Lake Fronts: Remarks (Mr. Henderson) in Com. of Sup., 3854 (ii).
Providence Bay, Manitoulin Wharf: in Com. of Sup., 3457 (ii).
Public Works Advertising, &c.: Inquiry for Ret. (Mr. Armstrong) 8118 (v).
See 'Newspapers.'
Public Works, Deptl. Rep.: Presented (Mr. Pugsley) 7 (i).
——— Deptl. Salaries: in Com. of Sup., 333 (i).
——— Employees during Ottawa Bye-Election Campaign: Remarks (Mr. Geo. Taylor) 2489 (ii).
——— Engineering Branch: in Com. of Sup., 6163 (iv).
——— Engineers, Number of Residents, Salaries, &c.: Ques. (Mr. Barnard) 2293 (ii).
——— Engineers, Inspectors, &c., Public Works: in Com. of Sup., 5720 (iii).
Public Works Generally in Prov. of Quebec, Uselessness of, &c.: Remarks (Mr. Monk) 3865 (ii).
Public Works Surveys: in Com. of Sup., 5719 (iii).
Quaco Harbour Pier: in Com. of Sup., 3427 (ii).
Quebec East (St. Roch) Public Building: in Com. of Sup., 828 (i).
Quebec, Custom House: in Com. of Sup., 824 (i).
——— Detention Hospital: in Com. of Sup., 823 (i).
Quebec Harbour, Levis, Deep Water Wharf: in Com. of Sup., 6102 (iv).

PUBLIC WORKS—*Con.*
Quebec, Immigration Buildings: in Com. of Sup., 823 (i).
—— Observatory: in Com. of Sup., 823 (i).
—— Post Office, Improvements: in Com. of Sup., 823 (i).
Queen Charlotte City Wharf: in Com. of Sup., 4716 (iii).
Rainy River, Long Sault Rapids: in Com. of Sup., 3472 (ii).
Red Point Wharf: in Com. of Sup., 2696 (ii).
Red River Dredging, Quantity, Cost, &c.: Ques. (Mr. Bradbury) 7871, 8237 (v).
Red River Protection Channel: in Com. of Sup., 4266 (iii).
Restigouche River Bridge, Metapedia: in Com. of Sup., 6152 (iv).
Richelieu River Improvements: in Com. of Sup., 4212 (iii).
Richibucto Cape Breakwater: in Com. of Sup., 3428, 3438 (ii).
Richibucto Wharf, Purchase, &c.: Remarks (Mr. Barker) in Com. of Sup., 3838 (ii).
Rigaud Public Building: in Com. of Sup., 8814 (v).
Rimouski Wharf Improvements: in Com. of Sup., 4210 (iii).
Riviere du Loup Wharf Renewals: in Com. of Sup., 4226 (iii).
Riviere Ouelle Wharf Improvements: in Com. of Sup., 4211 (iii).
River des Prairies, Deepening, &c., Pets., Cor., &c.: M. for Copy (Mr. Monk) 114 (i).
Rivière aux Vases Wharf: in Com. of Sup., 4210 (iii).
Roads and Bridges: in Com. of Sup., 6150 (iv).
Roberval Public Building: in Com. of Sup., 927 (i).
Rock Island Public Building: in Com. of Sup., 946 (i).
Rondeau Harbour Improvements: in Com. of Sup., 3474 (iii).
Rustico Breakwater: in Com. of Sup., 2696 (ii).
St. Alphonse de Bagotville Wharf: in Com. of Sup., 4227 (iii).
St. Andrews Dam, Bridge and Approaches: Remarks (Mr. Bradbury) 4263 (iii).
St. Andrew's Rapids Improvements: in Com. of Sup., 6103 (iv).
St. Andrew's Wharf: in Com. of Sup., 3450 (ii).
St. Andre de Kamouraska Wharf Extension: in Com. of Sup., 4228 (iii).
Ste. Anne des Monts Harbour Improvements: in Com. of Sup., 4231 (iii).

PUBLIC WORKS—*Con.*
St. Charles de Caplan Wharf Extension: in Com. of Sup., 4234 (iii).
St. Charles River Improvements: in Com. of Sup., 6102 (iv).
Ste. Croix Wharf: in Com. of Sup., 4235 (iii).
St. Denis Wharf: in Com. of Sup., 4235 (iii).
Ste. Genevieve and Isle Bizard Wharfs, Pets., &c.: M. for Copy (Mr. Monk) 110 (i).
St. Jacques de l'Achigan Public Building: in Com. of Sup., 952 (i).
St. John, Drill Hall: in Com. of Sup., 591 (i).
—— Harbour Improvements: in Com. of Sup., 3450 (ii), 6106 (iv).
—— Wharf Accommodation: in Com. of Sup., 3451 (ii).
St. John River Tributaries: in Com. of Sup., 3446 (ii).
St. John River Channel Survey, Accounts, Vouchers, &c.: M. for Copies* (Mr. Crocket) 154 (i).
—— Inquiry for Ret. (Mr. Crocket) 6394 (iv).
St. Joseph de Sorel Wharf: in Com. of Sup., 4246 (iii).
St. Lambert Public Building: in Com. of Sup., 955 (i).
St. Laurent Wharf, Man., Expenditure re: Ques. (Mr. Staples) 1195 (i).
—— Remarks (Mr. Staples) in Com. of Sup., 4254 (iii).
St. Lawrence Ship Channel: in Com. of Sup., 8522 (v).
—— Deepening from Port Colborne to Montreal, Estimated Cost, &c.: Ques. (Mr. G. V. White) 841 (i).
—— Expenditure *re* Deepening, &c.: Ques. (Mr. Sinclair) 3168 (ii).
—— Expenditure *re* Dredging at Batiscan, &c.: Ques. (Mr. Monk) 841 (i).
St. Lawrence River Channel at Kingston, Improvements: in Com. of Sup., 3833 (ii).
St. Maurice River Dredging, Grand Piles Chute, &c.: Ques. (Mr. Blondin) 5931 (iv).
St. Maurice District Slides, &c.: in Com. of Sup., 6149 (iv).
Ste. Therese Post Office Site, Purchase of: Ques. (Mr. Nantel) 787 (i).
Sackville Wharf: in Com. of Sup., 3448 (ii).
Saguenay River Dredging Improvements: in Com. of Sup., 4221 (iii).
Sault Ste. Marie Wharf: in Com. of Sup., 3474 (ii).
—— Dredging: in Com. of Sup., 5608 (iii).
Saw Pit Block and Span Wharf: in Com. of Sup., 1176 (i).

PUBLIC WORKS—*Con.*
Seal Cove, Grand Manan Breakwater: in Com. of Sup., 3449 (ii).
Selkirk Dock, Expenditure *re*: Remarks (Mr. Bradbury) in Com. of Sup., 3884 (ii).
Serpentine River Navigation: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4304 (iii).
Shawinigan Falls: in Com. of Sup., 948 (i).
Shediac Wharf: in Com. of Sup., 3449 (ii).
Shelburne Harbour, Deep Water Wharf: in Com. of Sup., 1176 (i).
Shelburne Public Building: in Com. of Sup., 579 (i).
Shigawake Breakwater Extension: in Com. of Sup., 4227 (iii).
Shippigan Harbour Improvements: in Com. of Sup., 3450 (ii).
Sibley Harbour: in Com. of Sup., 3475 (ii).
Skeena River Improvements, B.C.: in Com. of Sup., 5608 (iii).
Skinner's Cove Boat Harbour, Expenditure, &c.: M. for Paysheets, &c.* (Mr. Stanfield) 3495 (ii).
Slides and Booms—Que.: in Com. of Sup., 6149 (iv).
Sorel Deep Water Wharf, Breakwater, &c.: in Com. of Sup., 4246 (iii).
Sorel Yard Property Purchase: in Com. of Sup., 8523 (v).
Souris Post Office: Remarks (Mr. Roche) in Com. of Sup., 940 (i).
Souris, Knight's Point Breakwater: in Com. of Sup., 2696 (ii).
South Cove Wharf: in Com. of Sup., 1177 (i).
South Ingonish Wharf: in Com. of Sup., 1177 (i).
Spallumcheen River Bank Protection Works in Com. of Sup., 4718 (iii).
Spanish Ship Bay Wharf: in Com. of Sup., 1177 (i).
Sullivan & Langdon, Messrs., Amounts paid *re* Public Works, Kingston: Ques. (Mr. Edwards) 1974 (ii).
—— M. for Ret.* (Mr. Edwards) 2150 (ii).
Stewart Wharf, Portland Canal: in Com. of Sup., 4726 (iii).
Summerside Harbour: in Com. of Sup., 2697 (ii).
Summerside Public Building: in Com. of Sup., 580 (i).
Swim's Point, Approach to Wharfs: in Com. of Sup., 1178 (i).
Sydney Mines Wharf: in Com. of Sup., 1178 (i).
Tadousac Harbour Wharf: in Com. of Sup., 4246 (iii).
Telegraph Lines, B.C.: in Com. of Sup., 5614 (iii).
Tenecape Breakwater: in Com. of Sup., 1178 (i).

PUBLIC WORKS—*Con.*
'The Wharfs' Breakwater: in Com. of Sup., 1179 (i).
Thornbury Wharf, Repairs: in Com. of Sup., 3475 (ii).
Three-Fathom Harbour Breakwater: in Com. of Sup., 1179 (i).
Three Rivers, Deep Water Coal Wharf: in Com. of Sup., 4247 (iii).
—— Public Building: in Com. of Sup., 959 (i).
Tiffin Harbour Improvements: in Com. of Sup., 5746 (iii), 6121 (iv).
Tignish Protection Piers: in Com. of Sup., 2697 (ii).
Toney River Channel Protection: in Com. of Sup., 1179 (i).
—— Expenditure to Date, &c.: Ques. (Mr. Stanfield) 3676 (ii).
—— M. for Papers* (Mr. Rhodes) 3495 (ii).
Toronto Harbour Expenditure: Remarks (Mr. Macdonell) in Com. of Sup., 4250 (iii).
Toronto Harbour Improvements: in Com. of Sup., 3852 (ii).
Toronto Harbour Dredging, Payments to John E. Russell: Ques. (Mr. J. D. Reid) 3735 (ii).
—— Name of Contractor, &c.: Ques. (Mr J. D. Reid) 2929 (ii).
Tracadie Improvements: in Com. of Sup., 3452 (ii).
Traynor's Cove Wharf: in Com. of Sup., 3452 (ii).
Tusket Wedge Wharf: in Com. of Sup., 1179 (i).
Upper Prospect Breakwater: in Com. of Sup., 1179 (i).
Upper Washabuck Wharf: in Com. of Sup., 1179 (i).
Uxbridge Public Building: in Com. of Sup., 8178, 8185 (v).
Vancouver Harbour Improvements: in Com. of Sup., 6122 (iv).
Vancouver Public Building: in Com. of Sup., 8191 (v).
Vaudreuil Cove Beach Protection: in Com. of Sup., 4211 (iii).
Victoria Harbour, B.C., Improvements: in Com. of Sup., 6123 (iv).
Victoria Harbour, Ont., Improvements: in Com. of Sup., 5747 (iii)., 6123 (iv).
Wallaceburg Public Building: in Com. of Sup., 8178 (v).
Waterloo Public Building: in Com. of Sup., 8178 (v).
West Advocate Wharf: in Com. of Sup., 1179 (i).
West Baccaro Breakwater: in Com. of Sup., 1180 (i).

PUBLIC WORKS—*Con.*
West Dublin Bay Wharf: in Com. of Sup., 1180 (i).
Westmount Public Building: in Com. of Sup., 963 (i).
Westport Harbour: Remarks (Mr. Jameson) in Com. of Sup., 1191 (i).
Weymouth Port Dredging: Remarks (Mr. Jameson) in Com. of Sup., 4788, 5718 (iii), 6131 (iv).
Wharfs, Public, Number leased under Act of 1909: Ques. (Mr. Foster) 260 (i).
Wharfs transferred to P.W. Dept., Revenue, &c.: Remarks (Mr. R. L. Borden) in Com. of Sup., 4228 (iii).
Whitby Harbour Improvements: in Com. of Sup., 8818 (v).
Whitby Post Office, Total Cost, Original Estimate, &c.: Ques. (Mr. S. Sharpe) 3486 (ii).
Whitby Public Building: in Com. of Sup., 8179 (v).
Wiarton Breakwater Pier: in Com. of Sup., 3475 (ii).
Winnipeg Beach Harbour, Protection Pier: in Com. of Sup., 4267 (iii).
——— Contract *re*: Ques. (Mr. Bradbury) 7289 (iv).
——— Remarks (Mr. Bradbury) in Com. of Sup., 7495 (v).
Winnipeg Wharfs, Repairs, &c.: Remarks (Mr. Bradbury) in Com. of Sup., 3864 (ii).
Wolfe Island Dredging: Remarks (Mr. Edwards) in Com. of Sup., 6164 (iv).
Wolfville Public Building: in Com. of Sup., 579 (i).
Yakoun River Obstruction, Removal, &c.: in Com. of Sup., 4728 (iii).
Yamaska and Richelieu Surveys *re* Improvements: in Com. of Sup., 5720, 5724 (iii).
Yarmouth Harbour Improvements: in Com. of Sup., 1191 (i).
Pulp Co., Chicoutimi, Tolls paid *re* Saguenay Booms: Ques. (Mr. Girard) 7871 (v).
Pulp and Pulpwood Exports from Sault Ste. Marie, Quantity, Value, &c.: Ques. (Mr. Boyce) 836 (i).
Pulpwood Exportation, Notice of Motion: Remarks (Mr. German) 3986 (iii).
Pure Foods, Inspection of: *See* 'B. No. 131.'
Quaco Harbour Pier: in Com. of Sup., 3427 (ii).
Quarantine: in Com. of Sup., 7391 (iv).
Quarantine Boat for Halifax Harbour, Contract *re* Construction: Ques. (Mr. Crosby) 2429, 3292 (ii).
Quarantine Inspectors, Apptmts. of: M. for Cor.* (Mr. W. H. Sharpe) 4315 (iii).
Quarantine Inspectors for Frontier, Cor. *re* Apptmts.: Ques. (Mr. W. H. Sharpe) 1208 (i), 5561 (iii).
Quarantine Steamers: in Com. of Sup., 7392 (iv), 7766 (v).
Quebec, Additional Judges: *See* 'B. No. 207.'
Quebec Barracks for Permanent Corps: in Com. of Sup., 975 (i).
Quebec Battlefields: *See* 'B. No. 188.'
Quebec Bridge, Board of Engineers, Additions, Names, &c.: Ques. (Mr. Monk) 103 (i).
——— Consideration to Quebec Bridge Co. *re* Franchise, &c.: Ques. (Mr. Sproule) 260 (i).
——— Construction: in Com. of Sup., 3070 (ii), 8821 (v).
Quebec Bridge Co.'s Finances at time of Collapse, Payment to by Govt.: Ques. (Mr. Lennox) 3485 (ii).
——— Payments by Govt., Rate of Interest, &c.: Ques. (Mr. Lennox) 628 (i).
Quebec Bridge, Criticism in 'Scientific American' *re* Plans: Remarks (Mr. Graham) 3390 (ii).
——— Expenditure incurred since Aug. 29th, 1907: Ques. (Mr. Foster) 1969 (ii).
——— Tenders for New Piers, &c.: Ques. (Mr. Lennox) 840 (i).
——— Total Cost, Completion, &c.: Ques. (Mr. Foster) 1205 (i).
Quebec Canals, Macadamizing Roads: in Com. of Sup., 3122 (ii).
Quebec Citadel Drill Shed: in Com. of Sup., 967 (i).
Quebec City Newspapers, Payments to by Govt.: Ques. (Mr. Crocket) 3486 (ii).
——— M. for Ret.* (Mr. Paquet) 4315 (iii).
Quebec Command, Medical Officer, Payments to, Name, &c.: Ques. (Mr. Allen) 1789 (i).
Quebec Custom House: in Com. of Sup., 824 (i).
Quebec Detention Hospital: in Com. of Sup., 823 (i).
Quebec East (St. Roch) Public Building: in Com. of Sup., 828 (i).
Quebec Fisheries and Special Regulations, Licenses granted, &c.: Ques. (Mr. Boyer) 6940 (iv).
Quebec Harbour, Lévis, Deepwater Wharf: in Com. of Sup., 6102 (iv).
Quebec Harbour, Ocean Merchant Vessels, Tonnage, &c.: Ques. (Mr. J. P. Turcotte) 6178 (iv).
Quebec Immigration Buildings: in Com. of Sup., 823 (i).

Quebec-Lévis Mail Service, Contract *re*: Ques. (Mr. Carrière) 6390 (iv).
Quebec Militia Ordnance Stores Building: in Com. of Sup., 967 (i).
Quebec Observatory: in Com. of Sup., 823 (i).
Quebec Post Office, Improvements: in Com. of Sup., 823 (i).
Quebec Provincial Immigrant Buildings, Generally: in Com. of Sup., 926, 959 (i).
Quebec and St. Lawrence River, Invasion of, Protection: Ques. (Mr. J. P Turcotte) 7513 (v).
Quebec Superior Court, Montreal, Number of Cases standing, &c.: Ques. (Mr. Nantel) 1369 (i).
Quebec Water Lots, Sale of, to Private individulas, &c.: Ques. (Mr. Monk) 430 (i).
Queen Charlotte City Wharf: in Com. of Sup., 4716 (iii).
Queen's Own Rifles, at Aldershot, Expenditure *re*: Ques. (Mr. Foster) 3678 (ii).
Quesnel-Fort George Mail Service, Contract *re*: Ques. (Mr. Burrell) 6941 (iv).
Questions standing as Notices of Motions: Remarks (Mr. Sproule) 6941 (iv).
Questions withdrawn, Procedure *re*: Ruling (Mr. Speaker) 1799 (i).
Rabies, Number of Cases reported to Govt., &c.: Ques. (Mr. J. A. Currie) 2926 (ii).
Rabies, Regulations by Dept. of Agriculture: Remarks (Mr. Blain) 4532 (iii).
Race Tack Gambling: *See* 'B. No. 6.'
Race Track Gambling B. 6: Ques. of Order *re* Translation of Evidence: Ruling (Mr. Speaker) 6404; agreed to (Y. 99; N. 55) 6406 (iv).
—— Ques. of Priv. (Mr. Miller) *re* Letter of Minister of Justice, 6715 (iv).
Railway Act Amts.: *See* 'B. Nos. 2, 3. 4. 5, 24, 39, 48, 53, 66, 104, 145, 174.'
Railway Appeals from Ry. Commission: *See* 'B. No. 3.'
Ry. Belt, B.C., Water Powers: *See* 'B. No. 187.'
Ry. Commission, Amt.: *See* 'B. No. 104.'
Ry. Commission, Jurisdiction: *See* 'B. No. 145.'
Ry. Contracts with Municipalities: *See* 'B. No. 5.'
Ry. Employees, Right to Vote: *See* 'B. No. 109.'
Railways and Fires: *See* 'B. No. 48,'
Ry. Labourers' Pay: *See* 'B. No. 39.'
Railways, Locations of, without Consent: *See* 'B. No. 145.'
Ry. Mail Service, Superintendents: *See* 'B. No. 197.'
Railway Operators' Hours: *See* 'B. No. 66.'
Railway Rates, Commutation Tickets: *See* 'B. No. 24.'
Railways, Speed of Trains over Level Crossings: *See* 'B. No. 174.'
Ry. Subsidies from Municipalities: *See* B. No. 5.'
Railway Subsidies. *See* 'B. No. 226.'
Railway Act Amt. Bills: Delay in Committees: Remarks (Mr. Lancaster) 925 (i).
Railway Rep. of Com., Delay, &c.: Remarks (Mr. Sproule) 7190 (iv).
Railway Committee: M. (Mr. Lancaster) to reduce Number, 8374 (v).
—— Rules *re* Bills: Remarks (Mr. Turriff) 8833 (v).
Railway Mail Clerks, Application *re* Salaries, &c.: Ques. (Mr. Macdonell) 6390 (iv).
—— Recommendation of C. S. Commission *re* Standard Cars: Ques. (Mr. Sproule) 5106 (iii).
—— Salaries: Remarks (Mr. Russell) in Com. on C. S. Bill, 6958 (iv).
—— Remarks (Mr. Russell) in Com. of Sup., 678 (iv).
Railway Passenger Service, Delays, Inefficiency, &c.: Ques. of Priv. (Mr. W. F. Maclean) 378 (i).
RAILWAYS:
Alien Labourers on Rys.: Remarks (Mr. Schaffner) 8577 (v).
Belleville and North Hastings Ry., Grievances *re* Operation by G.T.Ry., Remedy, &c.: Ques. (Mr. Northrup) 192 (i). *See* 'Ry. B. 5.'
B. C. Ry. Belt, Claims *re* Streams, &c.: Ques. (Mr. J. D. Taylor) 2951 (ii).
B. C. Ry. Subsidies, Particulars *re*: Ques. (Mr. Barnard) 5929 (iii).
Bruce Mines and Algoma Ry. Co.'s Subsidies, Applications *re* Renewals: Ques. (Mr. Boyce) 3735 (ii).
Canadian Northern Railway, Claims *re* Right of Way: Remarks (Mr. J. P. Turcotte) on M. for Sup., 8782 (v).
—— Control of other Ry. Cos., Subsidies, &c.: Ques. (Mr. R. Smith) 1207 (i).
—— Subsidies *re* Main and Branch Lines, &c., M. for Ret.* (Mr. R. Smith) 2298 (ii).
C.P.R. Teulon Branch Extension, Govt. Approval: Ques. (Mr. Bradbury) 1974 (ii).
Gov. Gen.'s Cars, Repairs, &c.: in Com. of Sup., 3127 (ii).
Hudson Bay Ry., Surveys, &c.: in Com. of Sup., 3067 (ii); 8820 (v).
—— Statement Read (Mr. Graham) 3206 (ii).
Hudson Bay Ry., Number of Acres of Land: Ques. (Mr. Foster) 2144 (ii).
—— Par. in Newspapers *re* Obstructions: Remarks (Mr. MacNutt) 7187 (iv).

RAILWAYS—*Con.*
Level Crossings Protection, Mr. J. Murphy's Report *re*: Ques. (Mr. Stanfield) 1198 (i).
N.B. Coal and Ry. Company's Accounts, Progress *re* Lawsuit: Ques. (Mr. Foster) 168 (i).
Passenger Service, Delays, Inefficiency, &c.: Ques. of Priv. (Mr. W. F. Maclean) 378
P.E.I. Railway: in Com. of Sup., 3063, 3102 (ii).
—— Branch thorugh New London, Memorials, &c.: M. for Copies* (Mr. Warburton) 5500 (iii).
—— Murray Harbour Branch Survey: Ques. (Mr. Fraser) 7518 (v).
—— Royal Junction, Surveys, &c.; M. for Copies* (Mr. R. Borden) 3170 (ii).
—— West Shore Extension, Memorials, &c.: M. for Cor.* (Mr. Richards) 5501 (iii).
Private Cars, Expenditure *re* Hauling: Remarks (Mr. Daniel) in Com. of Sup., 234 (i).
Quebec Bridge Co., Payments by Govt., Rate of Interest, &c.: Ques. (Mr. Lennox) 628 (i).
Railways and Canals, Dep. Min., Apptmt. of, Duties, &c.: Ques. (Mr. Hughes) 2718 (ii).
Railways and Canals, Deptl. Rep.: Presented (Mr. Graham) 7 (i).
—— Deptl. Salaries: in Com. of Sup., 246 (i).
—— Statistical Officers: in Com. of Sup., 3131 (ii).
—— Statistics Rep.: Presented (Mr. Graham) 1729 (i).
Railway Commission Building, Heating Expenditure: Ques. (Mr. S. Sharpe) 4309, 4846 (iii).
Railway Commission, Apptmt. to Vacancy *re* Decease of Mr. Greenway: M. for Cor.* (Mr. Campbell) 1022 (i)
—— Ques. (Mr. Roche) 131 (i).
Railway Commission, Litigation Expenses: in Com. of Sup., 3131 (ii).
—— Maintenance of Board: in Com. of Sup., 3127 (ii).
—— Supplies purchased for Ry. Commissions, Complaints *re*: Ques. (Mr. Geo. Taylor) 4518 (iii).
Railway Crossings, Application to Board *re* Protection, &c.: M. for Ret.* (Mr. Lennox) 277 (i).
St. John River Valley Ry., Consideration by Govt. *re* Construction: Remarks (Mr. Crocket) 122 (i).
—— Legislation *re* Operation: Remarks (Mr. R. L. Borden) 7292 (iv).
RAILWAYS—*Con.*
Train Rules Code, Approval of Ry. Commission: Ques. (Mr. J. A. Currie) 8834 (v).
—— Rules *re* Employment of Railway Men: Remarks (Mr. J. A. Currie) 8586 (v).
Windsor Branch Ry., Termination of Lease, &c.: Ques. (Mr. Rhodes) 1370 (i).
Rainy River, Long Sault Rapids; in Com. of Sup., 3472 (ii).
Rainy River Radial Ry.: *See* 'B. No. 108.'
Rates of Cable Cos.: *See* 'B. Nos. 104 and 234.'
Rechabites, Order of: *See* 'B. No. 112.'
Red Point Wharf: in Com. of Sup., 2696 (ii).
Red River Dredging, Quantity, Cost, &c.: Ques. (Mr. Bradbury) 7871, 8237 (v).
Red River Protection Channel: in Com. of Sup., 4266 (iii).
Reed, Ada Ann, Relief of: *See* 'B. No. 158.'
Reformatories Act Amt.: *See* 'B. No. 217.'
Representation in H. of C. in Mar. Provs., Memorials, &c.: M. for Copy (Mr. Warburton) 644 (i).
See 'House of Commons.'
Rescue Station in Coal Mining District, Establishment of: Ques. (Mr. Macdonnell) 3935 (ii).
Residents in H. of C.: Inquiry for Ret., 3296 (ii).
See 'House of Commons.'
Restaurant, House of Commons, Apptmt, of Com.: M. (Mr. Pugsley) 376 (i).
Restigouche Log Driving and Boom Co.: *See* 'B. No. 150.'
Restigouche River Bridge, Metapedia: in Com. of Sup., 6152 (iv).
Retail Merchants' Association of Canada: *See* 'B. No. 210.'
Returns, Careless Arrangement of: Remarks (Mr. R. L. Borden) 522 (i).
Returns: Inquiry for (Mr. Armstrong) 4812, 5624 (iii); (Mr. Daniel) 924 (i); (Mr. Foster); 8580; (Mr. G. V. White) 8585 (v).
Reynolds, Conductor, Award of Albert Medal for Heroism: Remarks (Mr. R. L. Borden) 3209 (ii).
—— Tel. from Strathcona *re* Albert Medal Award: Remarks (Mr. Murphy) 4208 (iii).
Richelieu and Ontario Navigation Co.: *See* 'B. No. 114.'
Richelieu River Improvements: in Com. of Sup., 4212 (iii).
Richibucto Cape Breakwater: in Com. of Sup., 3428, 3438 (ii).
Richibucto Wharf, Purchase, &c.: Remarks (Mr. Barker) in Com. of Sup., 3838 (ii).

Richibucto Wharf, Sale of: Amt. to Com. of Sup. (Mr. Crocket) 7592, 7650; Ques. of Order (Mr. Pugsley) 7600, 7632 (v).
Rideau Hall Furniture: Inquiry for Ret. (Mr. U. Wilson) 8742 (v).
Rideau Hall Grounds: in Com. of Sup., 8192 (v).
Riding Mountain Reserve, Settlement of: Remarks (Mr. Roche) in Com. of Sup., 8491 (v).
—— Removal of Squatters: Ques. (Mr. Roche) 1368 (i).
Rifles for Cadet Corps, Number, Pattern, Applications for, &c.: Ques. (Mr. Worthington) 265 (i).
See 'Ross.'
Rifle Practices, Facilities *re*: Ques. (Mr. Worthington) 1594 (i).
Rifle Practices for Schools of Instruction at St. John's: Ques. (Mr. Worthington) 1776 (i).
Rifle Ranges: in Com. of Sup., 8561 (v).
Rifle Ranges in Regina for N.W.M. Police: in Com. of Sup., 8802 (v).
Rigaud Public Building: in Com. of Sup., 8814 (v).
Rimouski Wharf Improvements: in Com. of Sup., 4210 (iii).
Riviere aux Vases Wharf: in Com. of Sup., 4210 (iii).
Riviere du Lievre Inhabitants, Deputation *re* Claims of McLaren Co.: Ques. (Mr. Major) 1777 (i).
Riviere du Loup, Engine House: in Com. of Sup., 2945 (ii).
—— Crossing Protection: Ques. (Mr. Gauvreau) 1778 (i).
See 'I.C.R.'
Riviere du Loup and Tadousac Mail Subsidy: in Com. of Sup., 5711 (iii), 8810 (v).
Riviere du Loup Wharf Renewals: in Com. of Sup., 4226 (iii).
Riviere Ouelle Wharf Improvements: in Com. of Sup., 4211 (iii).
River Herbert and Minudie, N.S., Mail Contracts, Name of Contractor: Ques. (Mr. Rhodes) 1380 (i).
River des Prairies, Deepening, &c., Pets., Cor., &c.: M. for Copy (Mr. Monk) 114 (i).
Roads and Bridges: in Com. of Sup., 6150 (iv).
Roberval Public Building: in Com. of Sup., 927 (i).
Robinson's Crossing Subway: in Com. of Sup., 2945 (ii).
Robinson, Mrs., Pets. *re* Release from Imprisonment: Remarks (Mr. Geo. Gordon) 924 (i).
Rock Island Public Building: in Com. of Sup., 946 (i).
Rocky Mountain Forest Reserve, Inquiry for Tracing: Remarks (Mr. Foster) 170 (i).
Rondeau Harbour Improvements: in Com. of Sup., 3474 (ii).
Rondeau Park Forest, Removal by Provl. Govt.: Remarks (Mr. McCoig) 6944 (iv).
Ross Rifles, Dates of Issue of Special Marks: M. for Ret.* (Mr. Worthington) 154 (i).
—— Distribution of: Ques. of Privilege (Mr. Hughes) 338 (i).
Ross Rifle Marks I. and Marks II.**, Defects, Issue of, Contract *re*: Ques. (Mr. Worthington) 1532 (i).
—— Ques of Order *re* Answer of Minister (Mr. Monk) 1534 (i).
—— Withdrawal by Minister, 1597 (i).
Ross Rifle Mark II.**, Certificate *re* Bisley Team, Number issued, Names, &c.: Ques. (Mr. Worthington) 273 (i).
—— Contract *re*: Ques. (Mr. Worthington) 4311 (iii).
—— Number received, contracted for, &c.: Ques. (Mr. Worthington) 5499 (iii).
Ross Rifle, Regulations of National Rifle Ass'cn.: M. (Mr. Hughes) to adjn., 4519 (iii).
—— Special Issue to Bisley Team, &c.: Ques. (Mr. Worthington) 134 (i).
—— Submission to N. R. Ass'cn. *re* Bisley Meet: Ques. (Mr. Worthington) 4082 (iii).
—— Weight of, &c.: Ques. (Mr. Talbot) 8678 (v).
Rothwell, Johnson & Co., Cor. *re* Legal Services for N.T. Ry. Commissioners: M. for Ret.* (Mr. Meighen) 643 (i).
Royal Canadian Dragoons, Transfer from St. Johns, Que.: Ques. (Mr. Worthingon) 3491 (ii).
Royal Guardians: *See* 'B. No. 120.'
Royal Military College Act Amt.: *See* 'B. No. 180.'
R.M.C. College Buildings, Change of Location, &c.: M. for Ret.* (Mr. Armstrong) 3169 (ii).
—— Cadets, Visit to Ottawa: Remarks (Mr. Hughes) 8584 (v).
—— Riding Establishments, Dimensions, Cost, &c.: Ques. (Mr. Edwards) 381 (i).
—— Servants' Cottages, Removal of, &c.: Ques. (Mr. Edwards) 263 (i), 5781 (iii).
Royal Mint Building: in Com. of Sup., 557 (i)
Royal Mint, Loss *re* Operation, Amount of Silver, &c.: Ques. (Mr. Armstrong) 784 (i).
See 'Mint, &c.'
Royal Society Grant: in Com. of Sup., 7865 (v).
Rules of the House: Prop. Res. (Mr. Lewis) 1536. 1545 (i).
—— Special Committee *re*: M. (Sir Wilfrid Laurier) 1299, 1441 (i).
—— Progress of Committee: Remarks (Mr. Lewis) 4307, 5893 (iii).
—— Rep. *re*: Remarks (Mr. J. A. Currie) 7527 (v).

Rules of the House, Rep.: M. (Sir Wilfrid Laurier) for Com., 8365 (v).
—— Report laid on Table (Sir Wilfrid Laurier) 7867 (v).
Rural Free Mail Boxes, Destruction of, Punishment *re*: Ques. (Mr. Elson) 630 (i).
—— Change in Design of Box: Ques. (Mr. Armstrong) 1783 (i).
Rural Mail Delivery in Elgin, Number of Boxes, &c.: Ques. (Mr. Marshall) 264 (i).
Rural Mail Delivery, List of Routes, &c.: M. for Ret.* (Mr. Armstrong) 1380 (i).
—— Locks furnished Patrons: Ques. (Mr. Armstrong) 784 (i).
—— Method, &c.: Remarks (Mr. Sinclair) in Com. of Sup., 6701 (iv).
—— Routes, Number in Operation, Pets., &c.: Ques. (Mr. Armstrong) 259 (i).
—— Routes, Stmnt. *re*: in Com. of Sup., 5753 (iii).
See 'Post Office.'
Rush-Bagot Treaty, Abrogation of *re* War Vessels, &c.: Remarks (Mr. Boyce) 5762 (iii). 7520 (v).
See 'U. S.,' 'Warships.'
Rustico Breakwater: in Com. of Sup., 2696 (ii).
St. Alphonse de Bagotville Wharf: in Com. of Sup., 4227 (iii).
St. Andre de Kamouraska Wharf Extension: in Com. of Sup., 4228 (iii).
St. Andrews Dam Bridge and Approaches: Remarks (Mr. Bradbury) 4263 (iii).
St. Andrews Rapids, Construction *re*, Division of Cost, &c.: Ques. (Mr. Geo. Taylor)8239 (v).
St. Andrews Rapids Improvements: in Com. of Sup., 6103 (iv).
St. Andrews Rapids Locks, Tel. Read: in Com. of Sup., 8819 (v).
St. Andrews Wharf: in Com. of Sup., 3450 (ii).
Ste. Anne des Monts Harbour Improvements: in Com. of Sup., 4231 (iii).
St. Catharines Bay and Tadousac Mail Subsidy: in Com. of Sup., 5711 (iii).
St. Charles de Caplan Wharf Extension: in Com. of Sup., 4234 (iii).
St. Charles, Man., Post Office, Establishment of: Inquiry for Ret. (Mr. Staples) 3682 (ii).
St. Charles River Improvements: in Com. of Sup., 6102 (iv).
St. Charles River Water Lots, Control by Quebec Harbour Commissioners, &c.: Ques. (Mr. Monk) 129 (i).
—— Sale of to Private Individuals: Ques. (Mr. Monk) 625 (i).
St. Clair and Erie Ship Canal Co.: *See* 'B. No. 136.'
St. Clair River Sand, Lease by Ont. Govt. to Detroit Co.: Remarks (Mr. A. H. Clarke) 5820 (iii).
Ste. Croix Wharf: in Com. of Sup., 4235 (iii).
St. Denis Wharf: in Com. of Sup., 4235 (iii).
Ste. Genevieve and Isle Bizard Wharfs, Pets., &c.: M. for Copy (Mr. Monk) 110 (i).
St. Henri Post Office Improvements: in Com. of Sup., 952 (i).
St. Jacques de l'Achigan Public Building: in Com. of Sup., 952 (i).
St. John Drill Hall: in Com. of Sup., 591 (i).
St. John Harbour, N. B., Improvements: in Com. of Sup., 3450 (ii), 6106 (iv).
St. John Harbour Wharfs: *See* 'B. No. 204.'
St. John, Increased Accommodation, I.C.R.: in Com. of Sup., 2945 (ii).
St. John River Channel Survey, Accounts, Vouchers, &c.: M. for Copies* (Mr. Crocket) 154 (i).
—— Inquiry for Ret. (Mr. Crocket) 6394 (iv), 8118, 8580 (v).
—— Inquiry for Ret. (Mr. Daniel) 8737 (v).
St. John River Tributaries: in Com. of Sup., 3446 (ii).
St. John Valley Ry., Consideration by Govt. *re* Construction: Remarks (Mr. Crocket) 122 (i).
—— Legislation *re* Operation: Remarks (Mr. R. L. Borden) 7292 (iv).
St. John Wharf Accommodation: in Com. of Sup., 3451 (ii).
St. Johns, Que., Govt. Lands used by Militia, &c.: Ques. (Mr. Hughes) 3494 (ii)
—— Military Property, Valuation, Disposal, &c.: Ques. (Mr. Worthington) 3737 (ii).
St. Joseph de Sorel Wharf: in Com. of Sup., 4246 (iii).
St. Lambert Military School of Instruction, Purchase of Site, &c.: Ques. (Mr. Worthington) 3738 (ii).
St. Lambert Public Building: in Com of Sup., 955 (i).
St. Laurent Wharf, Man., Expenditure re: Ques. (Mr. Staples) 1195 (i).
—— Remarks (Mr. Staples) in Com. of Sup., 4254 (iii).
St. Lawrence Channel, Deepening from Port Colborne to Montreal, Estimated Cost, &c.: Ques. (Mr. G. V. White) 841 (i).
—— Expenditure *re* Dredging at Batiscan, &c.: Ques. (Mr. Monk) 841 (i).
St. Lawrence River Channel at Kingston, Improvements: in Com. of Sup., 3833 (ii).
St. Lawrence Ship Channel: in Com. of Sup., 8521 (v).
—— —Expenditures *re* Deepening, &c.: Ques. (Mr. Sinclair) 3168 (ii).
St. Lawrence, North Shore Telegraph Lines: in Com. of Sup., 6153 (iv).
St. Lawrence Power Transmission Co., Ltd.: *See* 'B. No. 115.'

St. Lawrence Power Co., Compliance with Act of Incorp.: Ques. (Mr. S. Sharpe) 7869, 8107, 8659 (v).
——— Rep. *re* Application: Remarks (Mr. J. D. Reid) 1529 (i).
——— Original Reps. of Engineers laid on Table (Mr. Pugsley) 5617 (iii).
St. Leonard, N.B., and Van Buren, Me., International Bridge.: in Com. of Sup., 6151 (iv).
St. Maurice District Slides, &c.: in Com. of Sup., 6149 (iv).
St. Maurice River Dredging, Grand Piles Chute, &c.: Ques. (Mr. Blondin) 5931 (iv).
St. Maurice Valley Ry. Co.: *See* 'B. No. 59.'
St. Peters' Indian Reserve, Claims *re* Speculators, &c.: Ques. (Mr. Bradbury) 129 (i).
——— Instruction sent to Agent *re* Surrender, M. for Copy* (Mr. Bradbury) 643 (i).
——— Instructions to Chief Justice Howell: Inquiry for (Mr. Bradbury) 2279, 2636 (ii).
——— Instructions to J. O. Lewis *re* Patents: M. for Papers* (Mr. Bradbury) 1380 (i).
——— Letter from Rainway *re* Details of Expenditure: Inquiry for (Mr. Bradbury) 1802 (i).
——— Letter of Mr. Ernest Raynor: Explanation (Mr. Oliver) 1963 (ii).
——— Moneys paid *re* Surrender: M. for Ret.* (Mr. Bradbury) 1022 (i).
——— Negotiations with Wm. Frank, &c.: Ques. (Mr. Bradbury) 7065 (iv).
——— Payments to E. Raynor: Ques. of Priv. (Mr. Bradbury) 7520 (v).
——— Reps. and Accounts of Geo. Tracey: M. for Copies* (Mr. Bradbury) 1976 (ii).
St. Peter's Indian Reserve, Investigation, Rep. of Mr. Williams: Amt. (Mr. Bradbury) to Com. of Sup., 7009, neg. (Y. 57; N. 107) 7165, 7071 (iv).
——— Investigation by A. S. Williams, &c.: M. for Copy (Mr. Bradbury) 3494 (ii).
——— Rep. of A. S. Williams: Inquiry for (Mr. Bradbury) 5689, 5762 (iii).
——— Surrender of: Remarks (Mr. Bradbury) in Com. of Sup., 348 (i).
——— Ques. (Mr. Bradbury) 2296 (ii).
——— Treatment *re* Surrender of, &c.: M. for Cor.* (Mr. Bradbury) 414 (i).
Ste. Rosalie Improvements: in Com. of Sup., 2946 (ii).
St. Simeon-Tadousac Mail Service, Tenders *re*: Ques. (Mr. Paquet) 3936 (ii).
Ste. Thérèse Post Office Site, Purchase of: Ques. (Mr. Nantel) 787 (i).
Sackville Wharf: in Com. of Sup., 3448 (ii).
Saddlery and Harness for Militia, Average Cost, &c.: Ques. (Mr. Worthington) 1780 (i).
See 'Militia.'
Saguenay District, Booms, Tugs, &c.: in Com of Sup., 6149 (iv).
Saguenay River Dredging Improvements: in Com. of Sup., 4221 (iii).
Sailing Directions to Captains of Steamers; Remarks (Mr. Daniel) in Com. of Sup., 8533 (v).
Salaries of Civil Service: *See* 'B. No. 205.'
Salmon Fishery, Digby, Reports, &c.: M. for Cor.* (Mr. Jameson) 1022 (i).
——— Incomplete Ret.: Remarks (Mr. Jameson) 2798 (ii).
Salmon River Dam and Fishing Rights: Remarks (Mr. Jameson) in Com. of Sup., 8535 (v).
Salmon River Post Office, Vacancy *re* Postmaster, &c.: Ques. (Mr. Jameson) 2929 (ii).
Sarnia Armoury: in Com. of Sup., 8177 (v).
Saskatchewan Central Ry. Co.: *See* 'B. No. 121.'
Saskatchewan, Provl. Subsidies Aggregate Payments, &c.: Ques. (Mr. Lake) 3167 (ii).
Saturday Sittings of House: M. (Sir Wilfrid Laurier) 8110 (v).
Sault Ste. Marie Canal Accident, June, 1909, &c.: M. for Cor.* (Mr. Boyce) 4315 (iii).
——— Ques. (Mr. Boyce) 837 (i).
Sault Ste. Marie Canal Construction: in Com. of Sup., 3106 (ii).
——— Iron Mooring Posts: in Com. of Sup., 3124 (ii).
Sault Ste. Marie Dry Dock, &c., Applications *re* Subsidy, Pets., &c.: M. for Copies* (Mr. Boyce) 171 (i).
——— Remarks (Mr. Boyce) 3833, 3945 (ii), 5278 (iii).
See 'Dry Docks.'
Sault Ste. Marie Wharf: in Com. of Sup., 3474 (ii).
——— Dredging: in Com. of Sup., 5608 (iii).
Sauvé, Mr. A., Claims for Homestead *re* S. A. Campaign: M. for Cor. (Mr. Boyer) 2032 (ii).
Savard, Lt. Col. 18th Regiment, Retention of Moneys from Capt. Talbot: Ques. (Mr. Girard) 8658 (v).
——— Sale of Uniforms of 18th Regiment, &c.: Ques. (Mr. Girard) 6800 (iv).
See 'Militia.'
Savings Banks Act Amt.: *See* 'B. No. 76.'
Saw Pit Block and Span Wharf: in Com. of Sup., 1176 (i).
School Lands, Area sold at Regina, Fees, Revenue, &c.: Ques. (Mr. S. Sharpe) 432 (i).
School Lands Sales, Conditions, Terms, &c.: Ques. (Mr. Lake) 5930 (iv).
Schools of Navigation: in Com. of Sup., 8518 (v).

School Slates and Lead Pencils, Number imported, Valuations, &c.: Ques. (Mr. Macdonell) 6506 (iv).
Scott, Col. B. A., defaulting payments, &c.: Ques. (Mr. Girard) 8836 (v).
——— Resignation from 18th Regiment, &c.: Ques. (Mr. Girard) 8109 (v).
See 'Militia.'
Scott, Mr., Expulsion from Saxony, Rep. *re* to Can. Govt.: Remarks (Mr. Burrell) 1444 (i).
Scott, Elmore Walker, Relief of: *See* 'B. No. 165.'
Scotsburn-Loganville Mail Contract, Apptmt. of Postmaster, &c.: Ques. (Mr. Rhodes) 2290 (ii).
Scugog Lake, Lands flooded, Ownership of: Ques. (Mr. Thornton) 2187 (ii).
Sea Gull Dock, Name of Supt., Rate of Remuneration, &c.: Ques. (Mr. Boyce) 106 (i).
Seal Cove, Grand Manan Breakwater: in Com. of Sup., 3449 (ii).
Seal Cove Life Boat, N.B., Inspection *re* Condition, &c.: Ques. (Mr. Daniel) 2146 (ii).
Sealing on Pacific, Negotiations *re* Closing, Compensations, &c.: Ques. (Mr. J. D. Taylor) 2294 (ii).
Sec. of State, Deptl. Salaries: in Com. of Sup., 337 (i), 7767 (v).
Section 29, Twp. 9, Range 22, Applications *re* Right of Way: M. for Reps.* (Mr. Magrath) 643 (i).
Seed Control Act Amt.: *See* 'B. Nos. 16 and 55.'
Seeds and Seed Control Act: in Com. of Sup., 7389 (iv).
Seed Grain Advances, Total Sum refunded, &c.: Ques. (Mr. Monk) 629 (i).
Seed Grain Distribution, Average Price, Additional Cost, &c.: Ques. (Mr. Lake) 1002 (i).
——— to Homestead Holders, Quarter Section 24: Ques. (Mr. Lake) 1195 (i).
Segregation: *See* 'Convicts.'
Sel. Standing Committees, Organization of: Remarks (Mr. R. L. Borden) 343 (i).
Selkirk Dock, Expenditure *re*: Remarks (Mr. Bradbury) in Com. of Sup., 3884 (ii).
Senate, Abolition of, Amt. to B.N.A. Act: Prop. Address to His Maj. (Mr. Lancaster) 1977; Neg. (Y. 23; N. 111) 2002 (ii).
Senate Amts. to Private Bills, Rule *re* Consideration: (Mr. Speaker) 5776 (iii).
Senate Chamber, Redecorating: in Com. of Sup., 8176 (v).
Senate and H. of C. Residents: Inquiry for Ret. (Mr. Blain) 3296 (ii).
See 'House of Commons.
Senate Sessional Indemnities: in Com. of Sup., 7771 (v).
Senate Vacancies in N.S., Apptmts., &c.: Ques. (Mr. Jameson) 386 (i).
Senate Vacancy in P.E.I., Apptmt. of Successor to Mr. Ferguson: Ques. (Mr. Fraser) 1376 (i).
Serpentine River Navigation: Remarks (Mr. J. D. Taylor) in Com. of Sup., 4304 (iii).
Sessional Employees, Number on 25th January last, &c.: Ques. (Mr. Best) 4514, 5001 (iii).
Sessional Messengers, Instructions given by Mr. Speaker Blanchet: M. for Copies* (Mr. Monk) 2298 (ii).
Shawenegan Falls: in Com. of Sup., 948 (i).
Shea, Bernard, Relief of: *See* 'B. No. 148.'
Shediac Wharf: in Com. of Sup., 3449 (ii).
Shelburne Harbour Deep Water Wharf: in Com. of Sup., 1176 (i).
Shelburne Public Building: in Com. of Sup., 579 (i).
Shigawake Breakwater Extension: in Com. of Sup., 4227 (iii).
Shippigan Harbour Improvements: in Com. of Sup., 3450 (ii).
Shipping Statistics, Number of Tons, &c.: Ques. (Mr. Sinclair) 444 (i).
——— Registered in Canada, Number of Seamen, &c.: Ques. (Mr. Wallace) 5890 (iii).
Ships, Inspection of: *See* 'B. No. 15.'
Ships, Load Lines: *See* 'B. No. 10.'
Ships, Masters' Certificates: *See* 'B. No. 77.'
Ships, Seizure of: *See* 'B. No. 138.'
Ships: *See* 'Vessels.'
Sibley Harbour: in Com. of Sup., 3475 (ii).
Side Ladders for Box Cars, I. C. R.,: in Com. of Sup., 2945 (ii).
Signal Service: in Com. of Sup., 8527 (v).
Silver Ore, Theft of: *See* 'B. No. 85.'
Sinclair, Mr. John E., Emplymt. by Govt.: Ques. (Mr. Fraser) 6506 (iv).
Sioux Indians, Man.: in Com. of Sup., 7853 (v).
Skeena River Improvements, B.C.: in Com. of Sup., 5608 (iii).
Skill and King, Sale of Obscene Literature, Detention of Books: Ques. (Mr. Boyce) 7517 (v).
——— Letter of Attny. Gen. for Ont.: Read (Mr. Boyce) 8345 (v).
——— Par. in Can. Municipal Journal: Remarks (Mr. Boyce) 7068 (iv).
——— Further Explanation: (Mr. Aylesworth) 7183 (iv).
Skinner's Cove Boat Harbour, Expenditure, &c.: M. for Paysheets, &c.* (Mr. Stanfield) 3495 (ii).

Slides and Booms—Que.: in Com. of Sup., 6149 (iv).
Snake Island Fish Hatchery, Contracts *re* Spawn: M. for Copies* (Mr. Campbell) 277 (i).
Sorel Deep Water Wharf, Breakwater, &c.: in Com. of Sup., 4246 (iii).
Sorel Yard Property Purchase: in Com. of Sup., 8523 (v).
Soulanges Canal, Purchase of Tool Grinders: in Com. of Sup., 3105 (ii).
——— Slope Trimmings, &c.: in Com. of Sup., 3105 (ii).
Souris-Knight's Point Breakwater: in Com. of Sup., 2696 (ii).
Souris Life Saving Station, Ownership of Site: Ques. (Mr. Fraser) 7065 (iv).
Souris Post Office: Remarks (Mr. Roche) in Com. of Sup., 940 (i).
S.A. Veteran's Association, Military Reserve: M. for Cor.* (Mr. Macdonell) 2149 (ii).
S.A. Contingent despatched from Canada, Expenditure by Imp. Govt. and Can.: Ques. (Mr. Foster) 1204 (i).
S.A. Patriotic Fund, Control of by Govt.: Ques. (Mr. Wallace) 2952 (ii).
S.A. Veterans' Scrip, Amendment *re* Issue: Ques. (Mr. Hughes) 133 (i).
——— Issue of to Relatives: Remarks (Mr. Hughes) 8580 (v).
——— Locations in B.C.: Ques. (Mr. Barnard) 1590 (i).
——— Number issued, &c.: Ques. (Mr. Foster) 2144 (ii).
——— Number of Warrants issued, &c.: Ques. (Mr. Roche) 107 (i).
South African Volunteers, Bounty: *See* 'B. Nos. 87 and 163.'
S.A. Volunteers Bounties Act, Amt. *re* Surgeons: Ques. (Mr. S. Sharpe) 3732 (ii).
S.A. War, Expenditure for Imp. Govt. by Canada: Ques. (Mr. Schaffner) 632 (i).
S.A. War, Aud. Gen.'s Messenger re-instatement of: Remarks (Mr. R. L. Borden) in Com. of Sup., 8567 (v).
South Cove Wharf: in Com. of Sup., 1177 (i).
Southern Alberta Land Co., Decription of Areas under Agreement with Govt.: M. for Ret.* (Mr. McCarthy) 1686 (i).
South Ingonish Wharf: in Com. of Sup., 1177 (i).
South Ontario Pacific Ry. Co.: *See* 'B. No. 35.'
Sovereign Trust Co.: *See* 'B. No. 161.'
Spallumcheen River Bank Protection Works: in Com. of Sup., 4718 (iii).
Spanish Ship Bay Wharf: in Com. of Sup., 1177 (i).
Speech from the Throne: Read (Mr. Speaker) 2 (i).
Speedy Trial Act, Number of Cases heard, &c.: Ques. (Mr. C. A. Wilson) 1374 (i).
Spencer's Island Lighthouse, Total Cost, Contract, &c.: Ques. (Mr. Rhodes) 3292 (ii).
Stampers and Sorters, Salary Increases: Remarks (Mr. G. V. White) in Com. on C. S. Bill, 6960 (iv).
Stanley Barracks, Purchase of Land *re*: Ques (Mr. Wallace) 2952 (ii).
Steamer for River St. Lawrence, Purchase: in Com. of Sup., 8510 (v).
SS. Passengers landing at St. John, N.B., Treatment of: Remarks (Mr. Lennox) 7976, 8477 (v).
——— Letter of Supt.: Read (Mr. Oliver) 8579 (v).
Steel Bounties: *See* 'B. No. 231.'
Stenographers for Committees, Emplymt. of, Payments to, &c.: Ques. (Mr. Tolmie) 8677 (v).
Stewart Wharf, Portland Canal: in Com. of Sup., 4726 (iii).
Stipendiary Magistrates in N. W. Ter.: in Com. of Sup., 8799 (v).
Stone Industry Protection: Remarks (Mr. Bradbury) on M. for Sup., 7330 (iv).
Strathcona Immigration Building: in Com. of Sup., 8189 (v).
Strikes, Investigation of: *See* 'B. Nos. 23 and 198.'
Subsidies: *See* 'Bounties, &c.'
Subsidy to Can. Northern Ry.: *See* 'B. No. 227.'
Subsidies to Rys.: *See* 'B. No. 226.'
Sub-Target Rifle Machines, Number purchased, Total Cost, &c.: Ques. (Mr. Worthington) 1779 (i).
Sullivan & Langdon, Messrs., Amounts paid *re* Public Works, Kingston: Ques. (Mr. Edwards) 1974 (ii).
——— M. for Ret.* (Mr. Edwards) 2150 (ii).
Summerside Harbour: in Com. of Sup., 2697 (ii).
Summerside Public Building: in Com. of Sup., 580 (i).
Superior Court, Additional Judges in Montreal: Remarks (Mr. Monk) 332 (i).
See 'Judges,' &c.
Supply Bills: *See* 'Bills Nos. 173, 196 and 235'
SUPPLY—
Committee:
Adulteration of Food:
General Vote, 1345 (i).
Arts, Agriculture and Statistics:
Archives, 7284 (iv).
Census and Statistics, 7373 (iv), 7763 (v).
Cold Storage for Food Products, 7362 (iv)

SUPPLY—*Con.*
Committee—*Con.*
Arts, Agriculture and Statistics—*Con.*
Cold Storage for Fruit, 7383 (iv).
Dairying Industry, 7362 (iv).
Dom. Exhibition, Grant, 7381 (iv).
Exhibitions, 5728 (iii), 7389 (iv).
Experimenal Farms, 5724 (iii), 7333, 7392 (iv), 7764 (v).
Farm Bulletins, Printing, &c., 7377 (iv).
Fumigation Stations, 7380 (iv).
Grant to Charlottetown Exhibition, 7766 (v).
Health of Animals, 7755 (v).
Imperial Institute, Can. Exhibit, 7380 (iv).
Live Stock Industry, 7748 (v).
Patent Record, 7371 (iv).
Public Works Health Act, 7392 (iv)
Seed Control Act, 7389 (iv).
Tobacco Industry, 7380 (iv).
Tracadie Lazaretto, 7391 (iv).
Charges of Management:
Foreign Coin in Circulation, 5607 (iii).
Civil Government:
Agriculture, 219 (i), 7764 (v).
Auditor General's Office, 7768 (v).
Customs, 243 (i).
Depts., Generally, 8811 (v).
External Affairs, 337 (i).
Finance, 335 (i).
Indian Affairs, 344, 414 (i)
Inland Revenue, 229 (i).
Interior, 7767, 8193 (v).
Justice, 253 (i).
Labour, 235 (i).
Marine and Fisheries, 250 (i).
Militia, 7767 (v).
Mines, 336 (i).
Mounted Police, 415 (i).
Naval Service, 8514 (v).
Post Office, 5607 (iii), 6650, 6675 (iv).
Public Works, 333 (i).
Railways and Canals, 246 (i).
Secretary of State, 337 (i), 7767 (v).
Trade and Commerce, 415 (i), 8808 (v).
Customs:
Salaries, Contingencies, &c., 1358 (i), 8803, 8807 (v).
Dominion Lands:
Salaries, &c., 8488 (v)
Timber Protection, 8491 (v).
Water Power Investigations, 8496 (v)
Excise:
Extra Duty at Distilleries, 1331, 1333, 1336 (i).
L. A. Frechette, Translation, 1343 (i)
Methylated Spirits, 1344 (i).
Provisional Allowances, 1344 (i)
Salaries, &c., 1331 (i).
Stamps, 1342 (i).
Travelling Expenses, &c., 1341 (i).
Weights and Measures:
Electric Power Export, 1356 (i)
Salaries, &c., 1354-5 (i).
Travelling Expenses, 1356 (i).
Fisheries:
B. C. Claim *re* Fish Licenses, 8552 (v).
Can. Fisheries Exhibit, 8544 (v).
Cold Storage for Bait, &c., 8545 (v).
Dog Fish Works, 8545 (v).

SUPPLY—*Con*
Committee—*Con.*
Fisheries—*Con.*
Fish-breeding Establishments, 5750 (iii), 8510 (v).
Fresh Fish, Transportation, &c., 5747 (iii).
Intelligence Bureau, 8547 (v).
Legislation, &c., 8543 (v).
Licenses, 8547 (v).
Oyster Culture, 8545 (v).
Protection Service, 5752 (iii).
Provincial Rights, &c., 8546 (v).
Salaries of Inspectors, &c., 8536 (v).
Geological Survey:
Assay Office, Vancouver, 7769 (v).
Explorations, &c., 8555 (v).
General Expenses, 8556 (v).
Maps, &c., 8556 (v).
Mines Branch, Ore Deposits, 8553 (v).
Peat Bog at Alfred, 8553 (v).
Storage of Explosives, 8556 (v).
Victoria Memorial Museum, Specimens, 8556 (v).
Govt. of Yukon Territory:
Depy. Administrator's Salary, 5615 (iii).
General Expenses, 8487 (v).
Immigration:
Agents' Salaries, &c., 8195, 8494 (v).
Contingencies, &c., 5729 (iii), 8207 (v).
W. T. R. Preston, Rent, &c., 8213 (v)
Indians:
British Columbia, 7858 (v).
Indian Education, 7861 (v).
Man. and N. W. T., &c., 7848, 7858 (v)
New Brunswick, 7846 (v).
Nova Scotia, 7845 (v).
Ont. and Que., 7835 (v).
Prince Edward Island, 7846 (v).
Justice:
Salary to N. W. T. Magistrate, 8799 (v).
Supreme Court, 8798 (v).
Labour Dept.:
Industrial Disputes Investigation Act, 8799 (v).
Technical Education Commission, 8800 (v).
Legislation:
Indemnity to Absent Members, 7771 (v).
Library, 8801 (v).
Senate, 7771 (v).
Lighthouse and Coast Service:
Aids to Navigation, 8525 (v).
Ice Breaking, 8526 (v).
Lighthouse and Buoy Steamers, 8528 (v).
Pensions to Pilots, 8527 (v).
Salaries and Allowances to Keepers, 8523 (v).
Signal Service, 8527 (v).
Wireless Stations, 8513 (v).
Mail Subsidies and SS. Subventions:
General Vote, 5690, 5711 (iii), 8808-8810, 8811 (v).
Militia:
Annual Drill, 8564 (v).
Engineers' Services, 8569 (v).
Grant to 65th Regt. Armoury, 8570 (v).
5th Regt. Armoury, 8570 (v).
Gratuities, 8571 (v).
Maintenance of Properties, 8571 (v).

SUPPLY—*Con.*
Committee—*Con.*
Militia—*Con.*
Monument at Stoney Creek, 8575 (v)
Ordnance, &c., 8556 (v).
Pay and Allowances, 8573 (v).
Salaries, &c., 8573 (v).
Topographical Survey, 8574 (v).
Minor Revenues:
General Vote, 1358 (i).
Miscellaneous:
Can. Handicrafts Guild, 7866 (v).
Conservation Commission, 7866 (v).
Naturalization Act, 7865 (v).
Royal Mint, 7866 (v).
Royal Society, Printing, &c., 7865 (v)
Mounted Police:
General Vote, 8802 (v).
Rifle Range, Regina, 8802 (v).
Naval Service:
Construction, Maintenance, &c., 8495 (v).
Fisheries Protection Service, 8509 (v).
Hydrographic Surveys, 8511 (v).
Steamer to replace 'La Canadienne,' 8510 (v).
Ocean and River Service:
Cattle Inspection, 8519 (v).
Maintenance and Repairs, &c., 8514 (v).
Patrolling Northern Waters, 8521 (v)
Rewards for Saving Life, 8515 (v).
Schools of Navigation, 8518 (v).
Tidal Service, 8512 (v).
Wrecking Plant, 8519 (v).
Post Office:
Additional Amount, 8818 (v).
Mail Service, 5752 (iii).
Miscellaneous, 7865 (v).
R. G. Mercer, Appmnt., 5755 (iii).
Salaries and Allowances, &c., 7863 (v).
Public Works—Capital:
Buildings:
Astronomical Observatory, 416, 536 (i).
Eastern Block, 571 (i).
New Buildings, 548 (i), 7166 (iv),
Royal Mint, 557 (i).
Testing Building, &c., 572 (i).
Victoria Memorial Museum, 566 (i).
Harbours and Rivers:
Port Arthur, &c., Improvements, 5729 (iii); 6101 (iv).
Quebec Harbour, 6102 (iv).
Red River Improvements, 6103 (iv), 8819 (v).
St. John Harbour, 6106 (iv).
Tiffin Harbour, 5746 (iii); 6122 (iv).
Vancouver Harbour, 6122 (iv).
Victoria, Harbour, B.C., 6123 (iv).
Victoria Harbour, Ont., 5747 (iii); 6123 (iv).
Marine Department:
Permanent Piers, 8523 (v).
St. Lawrence Ship Channel, 8521 (v)
Dredging Plant, 8523 (v).
Sorel Property, 8523 (v).
Public Works—Income:
Buildings:
British Columbia, 8190-91 (v)
Generally 596 (i); 8191 (v).
Manitoba, 8182-8185 (v).
New Brunswick, 580-596 (i).

SUPPLY—*Con.*
Committee—*Con.*
Public Works—Income—*Con.*
Buildings—*Con.*
Nova Scotia, 573-579 (i).
Ontario, 597 (i); 7173-7181 (iv); 7495-8169-8181 (v).
Prince Edward Island, 580 (i).
Quebec, 661-704, 823-833, 926-975 (i); 8814 (v).
Rents, Repairs, &c., 8191-93 (v).
Saskatchewan and Alberta, 5607 (iii); 8185-8189 (v).
Dredging:
British Columbia, 6138, 6141 (iv).
Manitoba, 6137 (iv).
Mar. Provs., 4780, 5608, 5716 (iii).
New Plant, 4738, 4755-4780 (iii).
Ont. and Que., 4809 (iii), 6124 (iv).
Repairs, 4731, 5716 (iii).
Harbours and Rivers:
British Columbia, 4276-4305, 4715-4730, 5608 (iii).
Generally, 4731 (iii).
Manitoba, 4254-4272 (iii).
Maritime Provinces, 3452 (ii).
New Brunswick, 2697-2710, 3391-3430, 3438-3452 (iii).
Northwest Territories, 4276 (iii).
Nova Scotia, 976-1001, 1158-1192 (i); 8816, (v).
Ontario, 3455-3475, 3833-3862 (ii), 5608 (iii), 8818 (v).
Prince Edward Island, 2693-2697 (ii).
Quebec, 3862-3872, 3875-3914 (ii), 4210-4254 (iii).
Saskatchewan and Alberta, 4272-4276 (iii).
Yukon Territory, 4730 (iii).
Miscellaneous:
Compensation, S. J. Dale, 6167 (iv).
Deep Waterways Commission, 6163 (iv).
Lake Nipissing Dams, 6164 (iv).
Memorial *re* Telephone at Brantford, 6161 (iv).
Sir Leonard Tilley, 6161 (iv).
Monument, Late Hon. Geo. Brown, 6158 (iv).
Late Sir L. H. Lafontaine and R. Baldwin, 6160 (iv).
Late D'Arcy McGee, 6159 (iv).
National Art Gallery, 6158 (iv).
Richelieu River Survey, 5720 (iii).
River St. John International Commission, 6163 (iv).
Salaries, Engineers' Branch, &c., 5720 (iii), 6163 (iv).
Surveys, &c., 5719 (iii).
Upper Ottawa, Storage Dams, 6162 (iv).
Roads and Bridges:
Chapeau Bridge, 6150 (iv).
Courtenay Bay, Aboiteau, 6150 (iv).
Dom. Bridges, Generally, 6152 (iv).
International Bridge, St. Leonard, N.B., 6151 (iv).
Interprovincial Bridge, Hawkesbury, 6151 (iv).
Interprovincial Bridge, Metapedia, 6152 (iv).
Ottawa City Bridges, 6152 (iv).

SUPPLY—*Con.*
Committee—*Con.*
Public Works—Income—*Con.*
Slides and Booms:
St. Maurice District, 6149 (iv).
Saguenay District, 6149 (iv).
Telegraph Lines:
B. C., 5614 (iii), 6156-58 (iv).
Lower St. Lawrence, &c., 6153 (iv).
Moosejaw-Wood Mountain, &c., 6154 (iv).
Sask and Alta., 5614 (iii), 6154 (iv).
Quarantine:
Steamers, 7392 (iv), 7766 (v).
Railways and Canals:
Canals:
Chambly, 3122 (ii).
Cornwall, 3123 (ii).
Galops, 3124 (ii).
Lachine, 3103 (ii).
Quebec Canals, 3122, 3123 (ii).
Sault Ste. Marie, 3106, 3124 (ii), 5616 (iii).
Soulanges, 3105 (ii).
Statistical Officers, 3131 (ii).
Trent, 3106, 3126 (ii).
Welland, 3120 (ii), 8821 (v).
Miscellaneous:
Arbitrations and Awards, 3127 (ii).
Gov. Gen.'s Car, 3127 (ii).
Polytechnic School, Montreal, 8822 (v).
Railway Commission, 3127 (ii).
Railways:
Hudson Bay Railway, 3067 (ii), 8819 (v).
Intercolonial Railway, 2872-2887, 2933-2949, 3091 (ii).
National Transcontinental Railway, 3065 (ii), 5229, 5246 (iii), 8352 (v).
Prince Edward Island Railway, 3063-3065, 3102 (ii).
Quebec Bridge, 3070 (ii), 8821 (v).
Trade and Commerce:
Chinese Immigration Act, 8810 (v).
Commercial Agencies, &c., 5714 (iii), 8810 (v).
Old Age Pension Fund, 8811 (v).
Salaries, &c., 5713 (iii).
Concurrence:
Trent Canal, Construction, 5602 (iii).
Supplies purchased for Ry. Commissions, Complaints *re*: Ques. (Mr. Geo. Taylor) 4518 (iii).
Supreme Court, Purchase of Law Books: in Com. of Sup., 8798 (v).
Surrey, B.C., Land Sales, Dates and Terms: Ques. (Mr. J. D. Taylor) 2291 (ii).
Surveys in Twp. Nine, Man., Alterations, &c.: Ques. (Mr. Staples) 272 (i).
Sutherland Rifle Sights, Number contracted for, &c.: Ques. (Mr. Worthington) 1535 (i).
Suzerainty to England, Report of Prime Minister at Toronto: Ques. (Mr. Lake) 2289 (ii).
See 'Privilege.'
Swan Lake Indian Reserve, Medical Attendant: Remarks (Mr. Staples) in Com. of Sup., 7849 (v).
Swim's Point, Approach to Wharfs: in Com. of Sup., 1178 (i).
Swine Commission, Report of: Ques. (Mr. Armstrong) 2429 (ii).
—— Report, &c.: Ques. (Mr. S. Sharpe) 5782 (iii).
—— Inquiry for Rep. (Mr. Broder) 5689 (iii).
Sydenham River: *See* 'Martin Island.'
Sydney Free Mail Delivery: M. for Cor.* (Mr. Maddin) 1022 (i).
—— Inquiry for Ret. (Mr. Maddin) 3137 (ii).
—— Ques. (Mr. Maddin) 1014 (i).
Sydney Mines Diversion: in Com. of Sup., 2946 (ii).
Sydney Mines Wharf: in Com. of Sup., 1178 (i).
Tadousac Harbour Wharf: in Com. of Sup., 4246 (iii).
Talbot, Capt. Réné, Payment *re* Allowances for 1907: Ques. (Mr. Girard) 6800 (iv).
Tariff Changes Amt.: *See* 'B. No. 233.'
Tariff Commission, 1906, Date of Meeting at Middleton, N.S.: Ques. (Mr. Jameson) 1020 (i).
Tariff with U.S., Importations, &c.: Inquiry for (R. L. Borden) 6100 (iv).
Tariff Negotiations with U. S., Information *re*: Remarks (Mr. Lewis) 5891 (iii).
—— Intermediate Tariff: Remarks (Mr. Lennox) 5892 (iii).
Tariff Negotiations with U.S.: Ques. of Priv. (Mr. Lennox) 5759 (iii).
Tariff Negotiations with U. S.: M. for Com. on Ways and Means (Mr. Fielding) 5942; Resolutions laid on Table, 5967 (iv).
—— Stmnt. *re*: Remarks (Mr. R. L. Borden) 5278 (iii), 6100 (iv).
Tariff Negotiations with U. S.: Remarks (Mr. W. F. Maclean) 5690 (iii).
—— Information *re*: Remarks (Mr. Sproule) 5762 (iii), 5932 (iv).
Technical Education: in Com. of Sup., 8800 (v).
—— Commission *re* Investigation: Prop. Res. (Mr. Guthrie) 1023; Amt. (Mr. King) to adjn. Debate, 1076; agreed to (Y. 78; N. 56) 1098 (i).
—— Replies from Provl. Premiers: Read (Mr. King) 3160 (ii).
—— Postponement of Debate, Letter from Mr. King to Hamilton Board of Trade: Remarks (Mr. Crosby) 3208 (ii).
—— Letters of Premiers: Read (Mr. King) on M. for Sup., 2661 (ii).

Telegraphs, &c.: *See* 'B. No. 104, 105 and 234.'
Telegraph Lines, B.C.: in Com. of Sup., 5614 (iii), 6156 (iv).
Telegraph Lines between L'Anse St. Jean and St. Alexis, Repairs, &c.: Ques. (Mr. Girard) 8836 (v).
Telegraph Lines, North Shore, St. Lawrence: in Com. of Sup., 6153 (iv).
—— Sask. and Alberta: in Com. of Sup., 5614 (iii).
Telephones, &c.: *See* 'B. Nos. 104, 145.'
Telephone Memorial at Brantford, Contribution: in Com. of Sup., 6161 (iv).
Temperance Act Amt.: *See* 'B. No. 209.'
Temporary Loans Outstanding on March 1, 1910, &c.: Ques. (Mr. Geo. Taylor) 8237 (v).
—— since beginning of present Session, Conditions *re*: Ques. (Mr. Foster) 1206 (i). *See* 'Finance.'
Tenecape Breakwater: in Com. of Sup., 1178 (i).
Tents, Militia, Average Cost, Tenders, &c.: Ques. (Mr. Worthington) 1779 (i). *See* 'Militia.'
'The Wharfs' Breakwater: in Com. of Sup., 1179 (i).
Thornbury Wharf Repairs: in Com. of Sup., 3475 (ii).
Thornton, Dr., Emplymt. by Govt.: Ques. (Mr. W. H. Sharpe) 626 (i).
Three-Fathom Harbour Breakwater: in Com. of Sup., 1179 (i).
Three Rivers, Deep Water Coal Wharf: in Com. of Sup., 4247 (iii).
—— Public Building: in Com. of Sup., 959 (i).
Tidal Service: in Com. of Sup.. 8512 (v).
Tiffin Harbour Improvements: in Com. of Sup., 5746 (iii), 6121 (iv).
Tignish Protection Piers: in Com. of Sup., 2697 (ii).
Tilley, Sir Leonard, Memorial at St. John, N.B.: in Com. of Sup., 6161 (iv).
Tobacco, Canadian, Encouragement of: in Com. of Sup., 7380 (iv).
Tobacco Curing Experimental Stations: in Com. of Sup., 8191 (v).
Tobacco Stamps: in Com. of Sup., 1342 (i).
Toney River Boat Harbour, Expenditure *re*: M. for Papers* (Mr. Rhodes) 3495 (ii). *See* 'Boat,' &c.
Toney River Channel Protection: in Com. of Sup., 1179 (i).
Tonnage Tax imposed on Can. Vessels on Great Lakes by U. S.: Ques. (Mr. J. A. Currie) 1530 (i).
Topographical Surveys: in Com. of Sup., 8574 (v).
Toronto Barracks, Disposal of Site on Humber River: Ques. (Mr. Macdonell) 3167 (ii).
Toronto Central Terminal Co.: *See* 'B. No. 70.'
Toronto Drill Hall: in Com. of Sup., 8178 (v).
Toronto and Eastern Ry. Co.: *See* 'B. No. 116.'
Toronto Harbour, Expenditure: Remarks (Mr. Macdonell) in Com. of Sup., 4250 (iii).
—— Extension, Name of Contractor, &c.: Ques. (Mr. J. D. Reid) 2929 (ii).
—— Improvements: in Com. of Sup., 3852 (ii)
—— Payments to John E. Russell: Ques. (Mr. J. D. Reid) 3735 (ii).
Toronto Sub-Post Offices, Ownership of Building, Salaries, &c.: Ques. (Mr. Foster) 3677 (ii).
Toronto 'World,' Ownership by Govt.: Ques. of Priv. (Mr. W. F. Maclean) 5998 (iv).
Tourists' Post Offices, Number temporarily established, &c.: Ques. (Mr. S. Sharpe) 170 (i)
Tracadie and D'Arcy Island Quarantine Lazarettos: in Com. of Sup., 7391 (iv.)
Tracadie Improvements, &c.: in Com. of Sup., 3452 (ii).
Tracadie Lazaretto: in Com. of Sup., 596 (i).
Trachoma in Regina Schools: Remarks (Mr. Schaffner) 3390 (ii).
Trade and Commerce, Deptl. Rep.: Presented (Sir Wilfrid Laurier) 621 (i).
—— Deptl. Salaries: in Com. of Sup., 415 (i), 8808 (v).
—— Inspectors, &c.: in Com. of Sup., 5713 (iii).
Trade Commissioners, &c.: in Com. of Sup., 5714 (iii).
Trade Negotiations with U. S., Par. in New York 'Sun': Remarks (Mr. Boyce) 6393 (iv).
Trade Relations: *See* 'U. S. Trade,' 'Tariff.'
Trade Representatives in Germany, Apptmt. of: Remarks (Mr. Armstrong) 5278 (iii). *See* 'Germany.'
Train Rules Code, Approval of Ry. Commission: Ques. (Mr. J. A. Currie) 8834 (v).
Traynor's Cove Wharf: in Com. of Sup., 3452 (ii).
Treaties with U. S., Number, Dates, Operation, &c.: Ques. (Mr. Macdonell) 268 (i).
Tremblay, Mr. J., Payments to: Ques. (Mr. Girard) 8836 (v).
Trent Canal, Bradford Channel, Surveys, &c.: Ques. (Mr. Lennox) 384 (i).
—— Construction: in Com. of Sup., 3106 (ii).
—— Damage to Property: in Com. of Sup., 3120 (ii).
—— Expenditure on Sections 1, 2, 3, 5 and 7, &c.: Ques. (Mr. Owen) 446 (i).

Trent Canal, Floods in Twp. of Asphodel, Payment of Damages, Names, &c.: Ques. (Mr. Lennox) 3733 (ii).
—— Floods, Charges against L. F. Clarry: Remarks (Mr. Lennox) 4714, 5209 (iii), 6096 (iv).
—— Improvements: in Com. of Sup., 3126 (ii).
Trent Canal, Newmarket: M. (Mr. Campbell) to reduce vote, Neg. (Y. 46; N. 91) 5604 (iii).
—— Survey, Rep. *re* Kempenfeldt Bay, &c.: Ques. (Mr. Lennox) 169 (i).
—— Water Powers, Control by Govt.: Ques. (Mr. Arthurs) 2185 (ii).
See 'Canals.'
Troy, Inverness, N. S., Postmaster, Investigation *re* Dismissal: Ques. (Mr. Armstrong) 7288 (iv).
Trusts, Investigation of: *See* 'B. No. 101.'
Trust and Loan Co. of Can.: *See* 'B. No. 98.'
Tuberculosis, Prevention of, Govt. Assistance, &c.: Prop. Res. (Mr. Perley) 1380 (i).
Turtle Mountain Reserve, Homesteading, &c.: Remarks (Mr. Schaffner) in Com. of Sup., 8492 (iv).
—— Tree Planting, Expenditure *re*: Ques. (Mr. Schaffner) 5932, 6181 (iv).
Tusket Wedge Wharf: in Com. of Sup., 1179 (i)
Union Life Assurance Co.: *See* 'B. No. 36.'
U. S. Canals: *See* 'New York State.'
U. S. Emigration from Canada, Rep. of American Consul at Kingston: Ques. (Mr. Geo. Taylor) 431 (i).
U. S. Govt. Officials, Interference with Travelling Citizens: Remarks (Mr. Armstrong) 6942 (iv).
U. S. Minimum Tariff, Decision *re* Canadian Exports: Remarks (Mr. Foster) 3058 (ii).
—— Negotiations *re*: Remarks (Mr. Foster) 2153, 3480 (ii).
U. S. Tariff Negotiations *re* Canada: Remarks (Mr. Owen) 4712 (iii).
See 'Tariff.'
U. S., Trade Relations with, on M. (Mr. Fielding) for Com. on Ways and Means (Mr. R. L. Borden) 8742 (v).
U. S. Training Vessels in Great Lakes, Number, &c.: Ques. (Mr. Hughes) 132 (i).
—— Passage through Canals, Deptl. Consultations, &c.: Ques. (Mr. Edwards) 108 (i).
—— M. for O. C.'s (Mr. Edwards) 135 (i).
—— Violation of Rush-Bagot Treaty, &c.: Ques. (Mr. Worthington) 103 (i).
See 'War Vessels,' &c.
U. S. War Vessels on Great Lakes: M. (Mr. Foster) for Cor., 791 (i).
Upper Prospect Breakwater: in Com. of Sup., 1179 (i).
Upper Washabuck Wharf: in Com. of Sup., 1179 (i).
Uxbridge Public Building: in Com. of Sup., 8178, 8185 (v).
Vacancies in Electoral Districts: Notification (Mr. Speaker) 2 (i).
Vancouver and Coast-Kootenay Ry. Co.: *See* 'B. No. 93.'
Vancouver Harbour Improvements: in Com. of Sup., 6122 (iv).
Vancouver Island and Eastern Ry. Co.: *See* 'B. No. 130.'
Vancouver Public Building: in Com. of Sup., 8191 (v).
Vancouver, Victoria and Eastern Ry. and Nav. Co.: *See* 'B. No. 99.'
Vancouver, Westminster and Yukon Ry. Co.: *See* 'B. No. 83.'
Vaudreuil Cove Beach Protection: in Com. of Sup., 4211 (iii).
Veilleue, Charles, Payments to: Ques. (Mr Girard) 8836 (v).
Ventilation of House of Commons: in Com of Sup., 8170 (v).
Vessels, Inspection of: *See* 'B. No. 47.'
Vessels, Reporting of to Customs: *See* 'B. No. 200.'
Veteran Land Grants, Number taken Up, Assignments, &c.: Ques. (Mr. Daniel) 447 (i).
See 'S. A. Veterans.'
Veterans of 1866-7, Land Grants to: Ques. (Mr. S. Sharpe) 2188 (ii).
Veterinary Service, B. C., Vacancies, Examinations, &c.: Ques. (Mr. J. D. Taylor) 132 (i).
Victoria Harbour, B.C., Improvements: in Com. of Sup., 6123 (iv).
Victoria Harbour, Ont., Improvements: in Com. of Sup., 5747 (iii), 6123 (iv).
Victoria Immigration Building, Cost of Construction, Maintenance, &c.: Ques. (Mr. Barnard) 1369 (i).
Victoria Immigration Building, Number of Inmates, &c.: Ques. (Mr. Barnard) 2187 (ii).
Victoria Jubilee Bridge Highway, Emigrants' Burying Ground, Repairs, &c.: Ques. (Mr. Lanctot) 5889 (iii).
Victoria Museum Specimens: in Com. of Sup., 8556 (v).
Victoria and San Francisco Mail Subsidy: Remarks (Mr. Barnard) in Com. of Sup., 5711 (iii).
Vitrified Sewer Pipe Imports, Duties collected, &c.: Ques. (Mr. Wallace) 3931 (ii).
Volunteer Bounty Act Amt.: *See* 'B. Nos. 87 and 163.'
Voters' Lists for Thunder Bay, &c., Total Cost of Revision, &c.: Ques. (Mr. Boyce) 629 (i).
Wakefield, W. A., Emplymt. by Immigration Dept.: Ques. (Mr. Roche) 5890 (iii).
Walkerton and Lucknow Ry. Co.: *See* 'B. No. 37.'

Walkerville Post Office, Appropriation for: Ques. (Mr. Wilcox) 1373 (i).
Wallaceburg Public Building: in Com. of Sup., 8178 (v).
Walton, Mr. George, Payments to by Govt.: Ques. (Mr. Schaffner) 3734 (ii).
—— M. for Ret.* (Mr. Schaffner) 5501 (iii).
War Ships on Great Lakes: Inquiry for Ret. (Mr. Foster) 8737 (v).
See 'Rush-Bagot,' 'U. S.,' &c.
War Vessels, Negotiations *re* Purchase of: Remarks (Mr. Foster) 2713 (ii).
—— O. C.'s *re*: Ques. (Mr. Foster) 2144 (ii).
War Vessels on Great Lakes, Rep. to Imp. Govt. *re* Building: Ques. (Mr. J. A. Currie) 1367 (i).
See 'Rush-Bagot.'
Warwick, Thos. G., Payment *re* Value of Improvements on Entry, &c.: Ques. (Mr. Lake) 275 (i).
Water Carriage of Goods: *See* 'B. No. 25.'
Waterloo Public Building: in Com. of Sup., 8178 (v).
Water Powers in B. C. Ry. Belt: *See* 'B. No. 187.'
Water Powers, Conservation of: *See* B. Nos. 84, 115, 119, 143, 150 and 185.'
Water Supply for Dom. Buildings, Experiment by Govt. *re* Purifying: Ques. (Mr. Hughes) 130 (i).
Waterways Commitee, Meeting, &c.: Remarks (Mr. G. V. White) 3390 (ii).
Waterways International Commission Rep.: Presented (Sir Wilfrid Laurier) 209 (i).
Waterways Treaty, Announcement, &c.: Remarks (Mr. R. L. Borden) 2713 (ii), 4403 (iii).
Waterways Treaty, Cor., Reps., &c.: M. for Copy (Mr. R. L. Borden) 109 (i).
—— Inquiry for (Mr. R. L. Borden) 3481 ii), 6100 (iv).
—— Treaty and Georgian Bay Canal, Privs. of U.S.: Ques. (Mr. Magrath) 3159 (ii).
Waterways Treaty, Papers laid on Table, 5932 (iv).
—— Printing of Papers: Remarks (Mr. R. L. Borden) 7187 (iv).
—— on Order for Cor.: Remarks (Mr. R. L. Borden) 1536 (i).
—— Progress *re*: Remarks (Mr. R. L. Borden) 1802 (i).
Watha Indian Reserve, Sale of Timber, &c.: Ques. (Mr. Wright) 843 (i).
Watson, R. J. Emplymt. by Govt.: Ques. (Mr. Burrell) 2488 (ii).
Ways and Means—The Budget (Mr. Fielding) 1446 (i).
—— M. for Com. (Mr. Fielding) 93 (i).
—— M. (Mr. Fisher) to report Progress, 2277 (ii).
Ways and Means, Procedure *re* Supply Bill: M. (Mr. Fielding) 6397 (iv).
—— U.S. Tariff Negotiations, M. for Com., 5942 (iv).
See 'U. S. Trade Relations.'
Weapons, Carrying of: *See* 'B. No. 14.'
Weekly Report, 'La Revue Hedomadaire,' French Edition: Ques. (Mr. Boyer) 3482 (ii).
Weighing of Cargoes: *See* 'B. No. 40.'
Weights and Measures Inspection, Salaries: in Com. of Sup., 1355 (i).
Welland Canal, Expenditure *re* Surveys, &c.: Ques. (Mr. Foster) 1968 (ii).
—— Land Purchases, &c.: in Com. of Sup., 3120 (ii).
—— Route through Lot 50, Purchase of Land, &c.: Ques. (Mr. Staples) 8660 (v).
—— Surveys *re* New Canal: in Com. of Sup., 8821 (v).
See 'Canals.'
West Advocate Wharf: in Com. of Sup.,1179 (i).
West Baccaro Breakwater: in Com. of Sup., 1180 (i).
West Dublin Bay Wharf: in Com. of Sup., 1180 (i).
Western Canada Power Co., Ltd.: *See* 'B. No. 86.'
Western Grain Trade: *See* 'Grain,' &c.
Westminster District, Land leased to B.C. Mills, Timber and Trading Co.: Ques. (Mr. J. D. Taylor) 2291 (ii).
Westmount Public Building: in Com. of Sup., 963 (i).
West Ontario Pacific Ry. Co.: *See* 'B. No. 38.'
Westport Harbour: Remarks (Mr. Jameson) in Com. of Sup., 1191 (i).
Weyburn Security Bank: *See* 'B. No. 156.'
Weymouth Port Dredging: Remarks (Mr. Jameson) in Com. of Sup., 4788, 5718 (iii), 6131 (iv).
Wharfs, Public, Number leased under Act of 1909: Ques. (Mr. Foster) 260 (i).
Wharfs transferred from P.W. Dept. to Marine Dept.: Remarks (Mr. R. L. Borden) in Com. of Sup., 3882 (ii).
Wharfs transferred to P.W. Depts., Revenue, &c.: Remarks (Mr. R. L. Borden) in Com. of Sup., 4228 (iii).
Wheat, Oats, &c., Average Production of Spring and Fall, 1909: Ques. (Mr. W. H. Sharpe) 5777 (iii).
'Whig,' Kingston, Payments to by Govt. *re* Printing: Ques. (Mr. Edwards) 1778 (i), 2428 (ii).
—— M. for Ret.* (Mr. Edwards) 3494 (ii).

Whitby Harbour Improvements: in Com. of Sup., 8818 (v).
Whitby Post Office, Total Cost, Original Estimate, &c.: Ques. (Mr. S. Sharpe) 3486 (ii).
Whitby Public Building: in Com. of Sup., 8179 (v).
Whitford, Mr. James, Issue of Scrip, Location of, &c.: Ques. (Mr. Herron) 6935 (iv).
Wiarton Breakwater Pier: in Com. of Sup., 3475 (ii).
'William Joliffe,' Str., Date of Charter for Service, Pay, &c.: Ques. (Mr. Barnard) 2187 (ii).
Williamshead Quarantine Station: in Com. of Sup., 8191 (v).
Williamsville Post Office, Revenue, Pets. *re* Removal, &c.: Ques. (Mr. Edwards) 7287 (iv).
Winding-up Act Amt.: *See* 'B. No. 65.'
Windsor Branch Ry., Termination of Lease, &c.: Ques. (Mr. Rhodes) 1370 (i).
Windygates Post Office, Pet. *re* Change, &c.: Ques. (Mr. S. Sharpe) 2930, 3168 (ii).
—— M. for Cor.* (Mr. W. H. Sharpe) 4315 (iii).
—— Inquiry for Ret. (Mr. W. H. Sharpe) 6394 (iv), 8118 (v).
—— Remarks (Mr. Lemieux) 8364 (v).
Winnipeg Barracks, Completion, &c.: Ques. (Mr. Worthington) 1777 (i).
Winnipeg Beach, Protection Pier: in Com. of Sup., 4267 (iii).
—— Contract *re*: Ques. (Mr. Bradbury) 7289 (iv).
—— Remarks (Mr. Bradbury) in Com. of Sup., 7495 (v).
Winnipeg Examining Warehouse: in Com. of Sup., 8184 (v).
Winnipeg Immigration Buildings: in Com. of Sup., 8185 (v).
Winnipeg Post Office: in Com. of Sup., 8185 (v).
—— Closing on Sundays: Remarks (Mr. A. Haggart) 3134 (ii).
—— Remarks (Mr. Lemieux) *re* Answer, 3484, 3672 (ii).
—— M. for Cor.* (Mr. A. Haggart) 4315 (iii).
See 'Post Office,' &c.
Winnipeg Wharfs, Repairs, &c.: Remarks (Mr. Bradbury) in Com. of Sup., 3864 (ii).
Wire Fencing, I. C. R., Tenders for 1909, &c.: Ques. (Mr. Wilcox) 1974 (ii).
Wireless Stations in Canada, 7395 (v).
—— Erection of: in Com. of Sup., 8513 (v).
Wireless Telegraphy on Great Lakes: Remarks (Mr. Lewis) 3135 (ii).
Wireless Telegraphy on Ships: *See* 'B. No. 11.'
Wolfe's Island Dredging: Remarks (Mr. Edwards) in Com. of Sup., 1162 (i), 6164 (iv).
Wolfville Public Building: in Com. of Sup., 579 (i).
Wood Permits to Residents for Fuel Purposes in Twp. 50, &c.: Ques. (Mr. Lake) 4079 (iii).
See 'Hay.'
Wool and Yarns, Quantity exported from 1900 to 1909: Ques. (Mr. Sexsmith) 1376 (i).
Woollen Industry, Reps. of Mr. Costello and W. G. Clarke: Ques. (Mr. Worthington) 3737 (ii).
Wrecks on Lake Erie, Negligence *re* Signals: Remarks (Mr. Macdonell) 1597 (i).
—— Stmnt. read (Mr. Brodeur) 1684 (i).
Wrecking Plant for B.C.: in Com. of Sup., 8519 (v).
Wrecking Plant on Pacific and Atlantic Coasts: M. for Cor. (Mr. Geo. Taylor) 644 (i).
—— Ques. (Mr. Marshall) 444 (i).
Yakoun River Obstruction, Removal, &c.: in Com. of Sup., 4728 (iii).
Yamaska and Richelieu Rivers, Surveys *re* Improvements: in Com. of Sup., 5720, 5724 (iii).
Yarmouth Harbour Improvements: in Com. of Sup., 1191 (i).
Year Book, Amount of Expenditure: Ques. (Mr. Paquet) 1020 (i).
Yukon Buildings, Rents, &c.: in Com. of Sup., 8193 (v).
Yukon Govt., Administration: in Com. of Sup., 5615 (iii), 8487 (v).
Yukon Territory, Goods admitted free of Duty, Value, &c.: Ques. (Mr. McCarthy) 3492 (ii).
Zinc Ores, Bounty on: *See* 'B. No. 182.'